



Ohio Revised Code

Section 3317.028 Recomputing where change in taxable value.

Effective: September 29, 2017

Legislation: House Bill 49 - 132nd General Assembly

(A) On or before May 15, 2007, and the fifteenth day of May in each calendar year thereafter, the tax commissioner shall determine for each school district whether the taxable value of all utility tangible personal property subject to taxation by the district in the preceding tax year was less or greater than the taxable value of such property during the second preceding tax year. If any decrease exceeds ten per cent of the district's tangible personal property taxable value included in the total taxable value used in the district's state aid computation for the fiscal year that ends in the current calendar year, or if any increase exceeds ten per cent of the district's total taxable value used in the district's state education aid computation for the fiscal year that ends in the current calendar year, the tax commissioner shall certify all of the following to the department of education and the office of budget and management:

- (1) The district's total taxable value for the preceding tax year;
- (2) The decrease or increase in taxes charged and payable on the district's total taxable value for the preceding tax year and the second preceding tax year;
- (3) The taxable value of the utility tangible personal property increase or decrease, which shall be considered a change in valuation;
- (4) The decrease or increase in taxes charged and payable on such change in taxable value calculated in the same manner as in division (A)(3) of section 3317.021 of the Revised Code.

(B)(1) Upon receipt of a certification specified in this section, the department of education shall replace the three-year average valuations that were used in computing the district's state education aid for the fiscal year that ends in the current calendar year with the taxable value certified under division (A)(1) of this section and shall recompute the state education aid for such fiscal year without applying any funding limitations enacted by the general assembly to the computation. Subject to division (B)(2) of this section, the department shall pay to or deduct from the district an amount



equal to the lesser of the following:

- (a) The difference between the district's state education aid prior to the recomputation under this section and the district's recomputed state education aid;
- (b) The increase or decrease certified under division (A)(2) of this section.

The payment date shall be determined by the director of budget and management. The director shall select a payment date that is not earlier than the first day of June of the current fiscal year and not later than the thirty-first day of July of the following fiscal year. The department of education shall not pay the district under this section prior to approval by the director of budget and management to make that payment.

(2)(a) If an increase in the taxable value of the utility tangible personal property is certified for a district under division (A)(2) of this section, the department shall not make a payment to the district under division (B)(1) of this section. The department may, however, deduct funds from the district under division (B)(1) of this section.

(b) If a decrease in the taxable value of the utility tangible personal property is certified for a district under division (A)(2) of this section, the department shall not deduct funds from the district under division (B)(1) of this section. The department may, however, make a payment to the district under division (B)(1) of this section.

(C) If a school district received a grant from the catastrophic expenditures account pursuant to division (C) of section 3316.20 of the Revised Code on the basis of the same circumstances for which a recomputation is made under this section, the amount of the recomputation shall be reduced and transferred in accordance with division (C) of section 3316.20 of the Revised Code.