## As Passed by the House

## 132nd General Assembly

# Regular Session 2017-2018

H. B. No. 11

## **Representative Scherer**

Cosponsors: Representatives Schaffer, Rogers, Blessing, Hambley, Henne, Retherford, Anielski, Antonio, Ashford, Barnes, Boyd, Craig, Dever, Ginter, Green, Holmes, Householder, Johnson, T., McColley, Miller, O'Brien, Patterson, Patton, Reineke, Riedel, Ryan, Seitz, Smith, R., Sprague, Sweeney, Thompson, Wiggam, Young, Speaker Rosenberger

#### A BILL

| То | amend section 5701.11 of the Revised Code to    | 1 |
|----|---|---|
|    | expressly incorporate changes in the Internal   | 2 |
|    | Revenue Code since February 14, 2016, into Ohio | 3 |
|    | law   | 4 |

#### BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF OHIO:

| Section 1. That section 5701.11 of the Revised Code be                     | 5  |
|--|----|
| amended to read as follows:  | 6  |
| Sec. 5701.11. The effective date to which this section                     | 7  |
| refers is the effective date of this section as amended by <del>S.B.</del> | 8  |
| <del>2</del> _ <u>.B.</u> of the <del>131st</del> _132nd_general assembly. | 9  |
| (A)(1) Except as provided under division (A)(2) or (B) of                  | 10 |
| this section, any reference in Title LVII of the Revised Code to           | 11 |
| the Internal Revenue Code, to the Internal Revenue Code "as                | 12 |
| amended," to other laws of the United States, or to other laws             | 13 |
| of the United States, "as amended," means the Internal Revenue             | 14 |
| Code or other laws of the United States as they exist on the               | 15 |

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effective date. 16

- (2) This section does not apply to any reference in Title

  LVII of the Revised Code to the Internal Revenue Code as of a

  date certain specifying the day, month, and year, or to other

  laws of the United States as of a date certain specifying the

  day, month, and year.
- (B) (1) For purposes of applying section 5733.04, 5745.01, or 5747.01 of the Revised Code to a taxpayer's taxable year ending after April 1, 2015 February 14, 2016, and before the effective date, a taxpayer may irrevocably elect to incorporate the provisions of the Internal Revenue Code or other laws of the United States that are in effect for federal income tax purposes for that taxable year if those provisions differ from the provisions that, under division (A) of this section, would otherwise apply. The filing by the taxpayer for that taxable year of a report or return that incorporates the provisions of the Internal Revenue Code or other laws of the United States applicable for federal income tax purposes for that taxable year, and that does not include any adjustments to reverse the effects of any differences between those provisions and the provisions that would otherwise apply, constitutes the making of an irrevocable election under this division for that taxable year.
- (2) Elections under prior versions of division (B)(1) ofthis section remain in effect for the taxable years to whichthey apply.
- Section 2. That existing section 5701.11 of the Revised 42

  Code is hereby repealed. 43