#### As Reported by the House Finance Committee

# 131st General Assembly

Regular Session 2015-2016

Sub. H. B. No. 176

### Representatives Hall, O'Brien, S.

Cosponsors: Representatives Amstutz, Antonio, Barnes, Bishoff, Boose, Boyd, Brown, Buchy, Burkley, Butler, Cera, Clyde, Conditt, Curtin, Dever, Duffey, Gerberry, Ginter, Grossman, Hackett, Hambley, Henne, Johnson, T., Kraus, Landis, LaTourette, Lepore-Hagan, Maag, O'Brien, M., Phillips, Rezabek, Rogers, Romanchuk, Ruhl, Schuring, Sheehy, Slaby, Slesnick, Smith, R., Stinziano, Thompson, Dovilla, Green

#### A BILL

Го	amend sections 5577.044, 5735.01, 5735.012,	1
	5739.025, 5747.98, and 5751.98 and to enact	2
	sections 122.079, 5735.015, 5735.016, 5747.78,	3
	and 5751.55 of the Revised Code to create the	4
	Gaseous Fuel Vehicle Conversion Program, to	5
	allow a credit against the income or commercial	6
	activity tax for the purchase or conversion of	7
	an alternative fuel vehicle, to reduce the	8
	amount of sales tax due on the purchase or lease	9
	of a qualifying electric vehicle by up to \$500,	10
	to apply the motor fuel tax to the distribution	11
	or sale of compressed natural gas, to authorize	12
	a temporary, partial motor fuel tax exemption	13
	for sales of liquid and compressed natural gas	14
	used as motor fuel, to allow motor vehicles	15
	fueled by liquid natural gas to exceed gross	16
	vehicle weight limits by two thousand pounds,	17
	and to make an appropriation.	18

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

Section 1. That sections 5577.044, 5735.01, 5735.012,	19
5739.025, 5747.98, and 5751.98 be amended and sections 122.079,	20
5735.015, 5735.016, 5747.78, and 5751.55 of the Revised Code be	21
enacted to read as follows:	22
Sec. 122.079. (A) As used in this section:	23
(1) "Compressed natural gas" means a clear, odorless, and	24
noncorrosive natural gas that is compressed to a pressure of at	25
least three thousand eight hundred pounds per square inch but	26
less than four thousand five hundred pounds per square inch.	27
(2) "Gaseous fuel" means compressed natural gas, liquefied	28
natural gas, or liquid petroleum gas.	29
(3) "Incremental cost" means the excess cost associated	30
with the purchase of a vehicle originally equipped by the	31
manufacturer to operate on gaseous fuel as compared to the	32
purchase of an equivalent vehicle that operates on gasoline or	33
diesel fuel.	34
(4) "Liquefied natural gas" means natural gas that is	35
cooled to negative two hundred sixty degrees fahrenheit and is	36
in a liquefied state.	37
(5) "Liquid petroleum gas" means a material with a vapor	38
pressure not exceeding that of commercial propane which is	39
composed predominately of the following hydrocarbons or	40
mixtures: propane, propylene, butane (normal butane or	41
isobutane), and butylene.	42
(6) "Nonprofit corporation" has the same meaning as in	43
section 1702.01 of the Revised Code.	44

(7) "Public transportation system" means a county transit	45
system operated in accordance with sections 306.01 to 306.13 of	46
the Revised Code, a regional transit authority operated in	47
accordance with sections 306.30 to 306.71 of the Revised Code,	48
or a regional transit commission operated in accordance with	49
sections 306.80 to 306.90 of the Revised Code.	50
(8) "School district" means a "city school district" as	51
defined in section 3311.02 of the Revised Code, a "local school	52
district" as defined in section 3311.03 of the Revised Code, an	53
"exempted village school district" as defined in section 3311.04	54
of the Revised Code, or a "joint vocational school district" as	55
defined in section 3311.18 of the Revised Code.	56
(B) For the purpose of promoting the conversion of public	57
fleets to operate on cleaner fuels, the director of	58
environmental protection shall administer a gaseous fuel vehicle	59
conversion program under which the director may make grants to a	60
state agency, a political subdivision of the state, a school	61
district, a public transportation system, or a nonprofit	62
corporation for the conversion of a vehicle to operate on	63
gaseous fuel or for the incremental cost associated with the	64
purchase of a vehicle originally equipped by the manufacturer to	65
operate on gaseous fuel.	66
(C) The director shall adopt rules in accordance with	67
Chapter 119. of the Revised Code that are necessary for the	68
administration of the gaseous fuel vehicle conversion program.	69
The rules shall establish all of the following:	70
(1) An application form and procedures governing the	71
process for applying to receive a grant under the program;	72
(2) Grant eligibility requirements;	73

Sub. H. B. No. 176

Sub. H. B. No. 176

(H) "Person" includes individuals, partnerships, firms,	159
associations, corporations, receivers, trustees in bankruptcy,	160
estates, joint-stock companies, joint ventures, the state and	161
its political subdivisions, and any combination of persons of	162
any form.	163
(I)(1) "Motor fuel dealer" means any person who satisfies	164
any of the following:	165
(a) The person imports from another state or foreign	166
country or acquires motor fuel by any means into a terminal in	167
this state;	168
(b) The person imports motor fuel from another state or	169
foreign country in bulk lot vehicles for subsequent sale and	170
distribution in this state from bulk lot vehicles;	171
(c) The person refines motor fuel in this state;	172
(d) The person acquires motor fuel from a motor fuel	173
dealer for subsequent sale and distribution by that person in	174
this state from bulk lot vehicles;	175
(e) The person possesses an unrevoked permissive motor	176
fuel dealer's license.	177
(2) Any person who obtains dyed diesel fuel for use other	178
than the operation of motor vehicles upon the public highways or	179
upon waters within the boundaries of this state, but later uses	180
that motor fuel for the operation of motor vehicles upon the	181
public highways or upon waters within the boundaries of this	182
state, is deemed a motor fuel dealer as regards any unpaid motor	183
fuel taxes levied on the motor fuel so used.	184
(J) As used in sections 5735.05, 5735.25, 5735.29, and	185
5735.30 of the Revised Code only:	186

(1) With respect to gasoline, "received" or "receipt"	187
shall be construed as follows:	188
(a) Gasoline produced at a refinery in this state or	189
delivered to a terminal in this state is deemed received when it	190
is disbursed through a loading rack at that refinery or	191
terminal;	192
(b) Except as provided in division (J)(1)(a) of this	193
section, gasoline imported into this state or purchased or	194
otherwise acquired in this state by any person is deemed	195
received within this state by that person when the gasoline is	196
withdrawn from the container in which it was transported;	197
(c) Gasoline delivered or disbursed by any means from a	198
terminal directly to another terminal is not deemed received.	199
(2) With respect to motor fuel other than gasoline,	200
"received" or "receipt" means distributed or sold for use or	201
used to generate power for the operation of motor vehicles upon	202
the public highways or upon waters within the boundaries of this	203
state. All diesel fuel that is not dyed diesel fuel, regardless	204
of its use, shall be considered as used to generate power for	205
the operation of motor vehicles upon the public highways or upon	206
waters within the boundaries of this state when the fuel is sold	207
or distributed to a person other than a licensed motor fuel	208
dealer or to a person licensed under section 5735.026 of the	209
Revised Code.	210
(K) Motor fuel used for the operation of licensed motor	211
vehicles employed in the maintenance, construction, or repair of	212
public highways is deemed to be used for the operation of motor	213
vehicles upon the public highways.	214

(L) "Licensed motor fuel dealer" means any dealer

possessing an unrevoked motor fuel dealer's license issued by	216
the tax commissioner as provided in section 5735.02 of the	217
Revised Code.	218
(M) "Licensed retail dealer" means any retail dealer	219
possessing an unrevoked retail dealer's license issued by the	220
tax commissioner as provided in section 5735.022 of the Revised	221
Code.	222
(N) "Cents per gallon rate" means the amount computed by	223
the tax commissioner under section 5735.011 of the Revised Code	224
that is used to determine that portion of the tax levied by	225
section 5735.05 of the Revised Code that is computed in the	226
manner prescribed by division (B)(2) of section 5735.06 of the	227
Revised Code and that is applicable for the period that begins	228
on the first day of July following the date on which the	229
commissioner makes the computation.	230
(O) "Retail dealer" means any person that sells or	231
distributes motor fuel at a retail service station located in	232
this state.	233
(P) "Retail service station" means a location from which	234
motor fuel is sold to the general public and is dispensed or	235
pumped directly into motor vehicle fuel tanks for consumption.	236
(Q) "Transit bus" means a motor vehicle that is operated	237
for public transit or paratransit service on a regular and	238
continuing basis within the state by or for a county, a	239
municipal corporation, a county transit board pursuant to	240
sections 306.01 to 306.13 of the Revised Code, a regional	241
transit authority pursuant to sections 306.30 to 306.54 of the	242
Revised Code, or a regional transit commission pursuant to	243
soctions 306 80 to 306 90 of the Povised Code. Public transit or	211

paratransit service may include fixed route, demand-responsive,	245
or subscription bus service transportation, but does not include	246
shared-ride taxi service, carpools, vanpools, jitney service,	247
school bus transportation, or charter or sightseeing services.	248
(R) "Export" means motor fuel delivered outside this	249
state. Motor fuel delivered outside this state by or for the	250
seller constitutes an export by the seller. Motor fuel delivered	251
outside this state by or for the purchaser constitutes an export	252
by the purchaser.	253
(S) "Import" means motor fuel delivered into this state	254
from outside this state. Motor fuel delivered into this state	255
from outside this state by or for the seller constitutes an	256
import by the seller. Motor fuel delivered into this state from	257
outside this state by or for the purchaser constitutes an import	258
by the purchaser.	259
(T) "Terminal" means a motor fuel storage or distribution	260
facility that is supplied by pipeline or marine vessel.	261
(U) "Consumer" means a buyer of motor fuel for purposes	262
other than resale in any form.	263
(V) "Bulk lot vehicle" means railroad tank cars, transport	264
tank trucks, and tank wagons with a capacity of at least 1,400	265
gallons.	266
(W) "Licensed permissive motor fuel dealer" means any	267
person possessing an unrevoked permissive motor fuel dealer's	268
license issued by the tax commissioner under section 5735.021 of	269
the Revised Code.	270
(X) "Licensed terminal operator" means any person	271
possessing an unrevoked terminal operator's license issued by	272

the tax commissioner under section 5735.026 of the Revised Code.

Sec. 5735.012. With respect to liquid motor fuel other	301
than liquid natural gas, amounts of motor fuel reported under	302
this chapter shall be measured in gross gallons, except that	303
amounts reported for terminal to terminal transactions shall be	304
measured in net gallons and amounts reported for terminal to	305
Ohio licensed dealer transactions shall be measured in both net	306
gallons and gross gallons. Amounts of liquid natural gas shall	307
be measured in gallon equivalents as described in section	308
5735.013 of the Revised Code. <u>Amounts of compressed natural gas</u>	309
shall be measured in gallon equivalents as described in section	310
5735.015 of the Revised Code.	311
Sec. 5735.015. For the purposes of this chapter, the	312
following amount of compressed natural gas shall be the	313
equivalent of one gallon of motor fuel:	314
(A) For compressed natural gas that is received through a	315
dispenser capable of providing a measurement in pounds, six and	316
thirty-eight one-hundredths pounds of compressed natural gas;	317
(B) For compressed natural gas that is not received as	318
provided in division (A) of this section, one hundred thirty-	319
nine and three-tenths cubic feet of compressed natural gas, or	320
the amount of compressed natural gas that has a lower heating	321
value of one hundred twenty-nine thousand five hundred British	322
thermal units.	323
Sec. 5735.016. (A) Notwithstanding any other provision of	324
this chapter, the total combined rate of tax imposed under this	325
chapter upon the receipt of compressed natural gas, liquid	326
natural gas, or propane received on or after the first day of	327
the first month after the effective date of the enactment of	328
this section and before the first day of the one hundred twenty-	329
first month after that effective date shall be the following:	330

(1) For compressed natural gas, liquid natural gas, or	331
propane received on or after the first day of the first month	332
after that effective date and before the first day of the	333
thirty-seventh month after that effective date, zero cents per	334
<pre>gallon;</pre>	335
(2) For compressed natural gas, liquid natural gas, or	336
propane received on or after the first day of the thirty-seventh	337
month after that effective date and before the first day of the	338
forty-ninth month after that effective date, five cents per	339
<pre>gallon;</pre>	340
(3) For compressed natural gas, liquid natural gas, or	341
propane received on or after the first day of the forty-ninth	342
month after that effective date and before the first day of the	343
sixty-first month after that effective date, six cents per	344
<pre>gallon;</pre>	345
(4) For compressed natural gas, liquid natural gas, or	346
propane received on or after the first day of the sixty-first	347
month after that effective date and before the first day of the	348
ninety-seventh month after that effective date, seven cents per	349
<pre>gallon;</pre>	350
(5) For compressed natural gas, liquid natural gas, or	351
propane received on or after the first day of the ninety-seventh	352
month after that effective date and before the first day of the	353
one hundred twenty-first month after that effective date,	354
fourteen cents per gallon.	355
(B) All receipts from taxes imposed at the rates described	356
in division (A) of this section shall be distributed as follows:	357
(1) Seventeen twenty-eighths shall be distributed in the	358
same manner as required for receipts from the tax levied by	359

Sub. H. B. No. 176

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thereof by not more than seventeen cents, the amount of tax is six cents for each one dollar plus one cent. If the price exceeds one dollar or a multiple thereof by more than seventeen cents, the amount of tax is six cents for each one dollar plus the amount of tax for prices eighteen cents through ninety-nine cents in accordance with the schedule above.

(2) On and after July 1, 2005, and on and before December 31, 2005, in accordance with the following schedule:

If the price	But not	The amount	396
is at least	more than	of the tax is	397
\$ .01	\$ .15	No tax	398
.16	.18	1¢	399
.19	.36	2¢	400
.37	.54	3¢	401
.55	.72	4¢	402
.73	.90	5¢	403
.91	1.09	6¢	404
1.10	1.27	7¢	405
1.28	1.46	8¢	406
1.47	1.64	9¢	407
1.65	1.82	10¢	408
1.83	2.00	11¢	409

If the price exceeds two dollars, the tax is eleven cents 410 on each two dollars. If the price exceeds two dollars or a 411 multiple thereof by not more than eighteen cents, the amount of 412 tax is eleven cents for each two dollars plus one cent. If the 413 price exceeds two dollars or a multiple thereof by more than 414 eighteen cents, the amount of tax is eleven cents for each two 415 dollars plus the amount of tax for prices nineteen cents through 416 one dollar and ninety-nine cents in accordance with the schedule 417

above.					
(B) On and at	fter July 1, 2003, and	l on and before June 30,	419		
2005, the combined	d taxes levied by sect	ions 5739.02 and 5741.02	420		
and pursuant to se	ections 5739.021, 5739	.023, 5739.026, 5741.021,	421		
5741.022, and 5741	023 of the Revised C	ode shall be collected in	422		
accordance with th	ne following schedules	:	423		
(1) When the	(1) When the combined rate of state and local tax is six				
and one-fourth per	cent:		425		
If the price		The amount of	426		
is at least	But not more than	the tax is	427		
\$ .01	\$ .15	No tax	428		
.16	.16	1¢	429		
.17	.32	2¢	430		
.33	.48	3¢	431		
.49	.64	4¢	432		
.65	.80	5¢	433		
.81	.96	6¢	434		
.97	1.12	7¢	435		
1.13	1.28	8¢	436		
1.29	1.44	9¢	437		
1.45	1.60	10¢	438		
1.61	1.76	11¢	439		
1.77	1.92	12¢	440		
1.93	2.08	13¢	441		
2.09	2.24	14¢	442		
2.25	2.40	15¢	443		
2.41	2.56	16¢	444		
2.57	2.72	17¢	445		
2.73	2.88	18¢	446		
2.89	3.04	19¢	447		

Sub. H. B. No. 176			
As Reported by the	House	<b>Finance</b>	Committee

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3.05	3.20	20¢	448
3.21	3.36	21¢	449
3.37	3.52	22¢	450
3.53	3.68	23¢	451
3.69	3.84	24¢	452
3.85	4.00	25¢	453

If the price exceeds four dollars, the tax is twenty-five cents on each four dollars. If the price exceeds four dollars or a multiple thereof by not more than sixteen cents, the amount of tax is twenty-five cents for each four dollars plus one cent. If the price exceeds four dollars or a multiple thereof by more than sixteen cents, the amount of tax is twenty-five cents for each four dollars plus the amount of tax for prices seventeen cents through three dollars and ninety-nine cents in accordance with the schedule above.

(2) When the combined rate of state and local tax is six and one-half per cent:

If the price		The amount of	465
is at least	But not more than	the tax is	466
\$ .01	\$ .15	No tax	467
.16	.30	2¢	468
.31	.46	3¢	469
.47	.61	4¢	470
.62	.76	5¢	471
.77	.92	6¢	472
.93	1.07	7¢	473
1.08	1.23	8¢	474
1.24	1.38	9¢	475
1.39	1.53	10¢	476
1.54	1.69	11¢	477

1.70	1.84	12¢	478
1.85	2.00	13¢	479

If the price exceeds two dollars, the tax is thirteen cents on each two dollars. If the price exceeds two dollars or a multiple thereof by not more than fifteen cents, the amount of tax is thirteen cents for each two dollars plus one cent. If the price exceeds two dollars or a multiple thereof by more than fifteen cents, the amount of tax is thirteen cents for each two dollars plus the amount of tax for prices sixteen cents through one dollar and ninety-nine cents in accordance with the schedule above.

(3) When the combined rate of state and local tax is six 489 and three-fourths per cent:

If the price		The amount of	491
is at least	But not more than	the tax is	492
\$ .01	\$ .15	No tax	493
.16	.29	2¢	494
.30	. 44	3¢	495
.45	.59	4¢	496
.60	.74	5¢	497
.75	.88	6¢	498
.89	1.03	7¢	499
1.04	1.18	8¢	500
1.19	1.33	9¢	501
1.34	1.48	10¢	502
1.49	1.62	11¢	503
1.63	1.77	12¢	504
1.78	1.92	13¢	505
1.93	2.07	14¢	506
2.08	2.22	15¢	507

2.23	2.37	16¢	508
2.38	2.51	17¢	509
2.52	2.66	18¢	510
2.67	2.81	19¢	511
2.82	2.96	20¢	512
2.97	3.11	21¢	513
3.12	3.25	22¢	514
3.26	3.40	23¢	515
3.41	3.55	24¢	516
3.56	3.70	25¢	517
3.71	3.85	26¢	518
3.86	4.00	27¢	519

If the price exceeds four dollars, the tax is twenty-seven cents on each four dollars. If the price exceeds four dollars or a multiple thereof by not more than fourteen cents, the amount of tax is twenty-seven cents for each four dollars plus one cent. If the price exceeds four dollars or a multiple thereof by more than fourteen but by not more than twenty-nine cents, the amount of tax is twenty-seven cents for each four dollars plus two cents. If the price exceeds four dollars or a multiple thereof by more than twenty-nine cents the amount of tax is twenty-seven cents for each four dollars plus the amount of tax for prices thirty cents through three dollars and ninety-nine cents in accordance with the schedule above.

(4) When the combined rate of state and local tax is seven per cent:

If the price		The amount of	534
is at least	But not more than	the tax is	535
\$ .01	\$ .15	No tax	536
.16	.28	2¢	537

Sub. H. B. No. 176 As Reported by the House Finance Committee

Page	20

.29	.42	3¢	538
.43	.57	4¢	539
.58	.71	5¢	540
.72	.85	6¢	541
.86	1.00	7¢	542

If the price exceeds one dollar, the tax is seven cents on each one dollar. If the price exceeds one dollar or a multiple thereof by not more than fifteen cents, the amount of tax is seven cents for each one dollar plus one cent. If the price exceeds one dollar or a multiple thereof by more than fifteen cents, the amount of tax is seven cents for each one dollar plus the amount of tax for prices sixteen cents through ninety-nine cents in accordance with the schedule above.

(5) When the combined rate of state and local tax is seven and one-fourth per cent:

If the price		The amount of	553
is at least	But not more than	the tax is	554
\$ .01	\$ .15	No tax	555
.16	.27	2¢	556
.28	.41	3¢	557
.42	.55	4¢	558
.56	.68	5¢	559
.69	.82	6¢	560
.83	.96	7¢	561
.97	1.10	8¢	562
1.11	1.24	9¢	563
1.25	1.37	10¢	564
1.38	1.51	11¢	565
1.52	1.65	12¢	566
1.66	1.79	13¢	567

1.80	1.93	14¢	568
1.94	2.06	15¢	569
2.07	2.20	16¢	570
2.21	2.34	17¢	571
2.35	2.48	18¢	572
2.49	2.62	19¢	573
2.63	2.75	20¢	574
2.76	2.89	21¢	575
2.90	3.03	22¢	576
3.04	3.17	23¢	577
3.18	3.31	24¢	578
3.32	3.44	25¢	579
3.45	3.58	26¢	580
3.59	3.72	27¢	581
3.73	3.86	28¢	582
3.87	4.00	29¢	583

If the price exceeds four dollars, the tax is twenty-nine cents on each four dollars. If the price exceeds four dollars or a multiple thereof by not more than thirteen cents, the amount of tax is twenty-nine cents for each four dollars plus one cent. If the price exceeds four dollars or a multiple thereof by more than thirteen cents but by not more than twenty-seven cents, the amount of tax is twenty-nine cents for each four dollars plus two cents. If the price exceeds four dollars or a multiple thereof by more than twenty-seven cents, the amount of tax is twenty-nine cents for each four dollars plus the amount of tax for prices twenty-eight cents through three dollars and ninety-nine cents in accordance with the schedule above.

(6) When the combined rate of state and local tax is seven and one-half per cent:

If the price		The amount of	598
is at least	But not more than	the tax is	599
\$ .01	\$ .15	No tax	600
.16	.26	2¢	601
.27	.40	3¢	602
.41	.53	4¢	603
.54	. 65	5¢	604
.66	.80	6¢	605
.81	.93	7¢	606
.94	1.06	8¢	607
1.07	1.20	9¢	608
1.21	1.33	10¢	609
1.34	1.46	11¢	610
1.47	1.60	12¢	611
1.61	1.73	13¢	612
1.74	1.86	14¢	613
1.87	2.00	15¢	614

If the price exceeds two dollars, the tax is fifteen cents on each two dollars. If the price exceeds two dollars or a multiple thereof by not more than fifteen cents, the amount of tax is fifteen cents for each two dollars plus one cent. If the price exceeds two dollars or a multiple thereof by more than fifteen cents, the amount of tax is fifteen cents for each two dollars plus the amount of tax for prices sixteen cents through one dollar and ninety-nine cents in accordance with the schedule above.

(7) When the combined rate of state and local tax is seven 624 and three-fourths per cent:

If the price		The amount of	626
is at least	But not more than	the tax is	627

Sub. H. B. No. 176 As Reported by the House Finance Committee

Page	23
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\$ .01	\$ .15	No tax	628
.16	.25	2¢	629
.26	.38	3¢	630
.39	.51	4¢	631
.52	.64	5¢	632
.65	.77	6¢	633
.78	.90	7¢	634
.91	1.03	8¢	635
1.04	1.16	9¢	636
1.17	1.29	10¢	637
1.30	1.41	11¢	638
1.42	1.54	12¢	639
1.55	1.67	13¢	640
1.68	1.80	14¢	641
1.81	1.93	15¢	642
1.94	2.06	16¢	643
2.07	2.19	17¢	644
2.20	2.32	18¢	645
2.33	2.45	19¢	646
2.46	2.58	20¢	647
2.59	2.70	21¢	648
2.71	2.83	22¢	649
2.84	2.96	23¢	650
2.97	3.09	24¢	651
3.10	3.22	25¢	652
3.23	3.35	26¢	653
3.36	3.48	27¢	654
3.49	3.61	28¢	655
3.62	3.74	29¢	656
3.75	3.87	30¢	657
3.88	4.00	31¢	658

If the price exceeds four dollars, the tax is thirty-one cents on each four dollars. If the price exceeds four dollars or a multiple thereof by not more than twelve cents, the amount of tax is thirty-one cents for each four dollars plus one cent. If the price exceeds four dollars or a multiple thereof by more than twelve cents but by not more than twenty-five cents, the amount of tax is thirty-one cents for each four dollars plus two cents. If the price exceeds four dollars or a multiple thereof by more than twenty-five cents, the amount of tax is thirty-one cents for each four dollars plus the amount of tax for prices twenty-six cents through three dollars and ninety-nine cents in accordance with the schedule above.

(8) When the combined rate of state and local tax is eight per cent:

If the price		The amount of	673
is at least	But not more than	the tax is	674
\$ .01	\$ .15	No tax	675
.16	.25	2¢	676
.26	.37	3¢	677
.38	.50	4¢	678
.51	.62	5¢	679
.63	.75	6¢	680
.76	.87	7¢	681
.88	1.00	8¢	682

If the price exceeds one dollar, the tax is eight cents on
each one dollar. If the price exceeds one dollar or a multiple
thereof by not more than twelve cents, the amount of tax is
eight cents for each one dollar plus one cent. If the price
exceeds one dollar or a multiple thereof by more than twelve
cents but not more than twenty-five cents, the amount of tax is
688

Sub. H. B. No. 176 As Reported by the House Finance Committee

Page 25

719

eight cents for each	ch one dollar plus tw	o cents. If the price	689
exceeds one dollar or a multiple thereof by more than twenty-			
five cents, the amo	ount of tax is eight	cents for each one dollar	691
plus the amount of	tax for prices twent	y-six cents through	692
ninety-nine cents	in accordance with th	e schedule above.	693
(9) When the	combined rate of stat	e and local tax is eight	694
and one-fourth per		de and local can lo elyme	695
and one routen per	cene.		030
If the price		The amount of	696
is at least	But not more than	the tax is	697
\$ .01	\$ .15	No tax	698
.16	.24	2¢	699
.25	.36	3¢	700
.37	.48	4¢	701
.49	.60	5¢	702
.61	.72	6¢	703
.73	.84	7¢	704
.85	.96	8¢	705
.97	1.09	9¢	706
1.10	1.21	10¢	707
1.22	1.33	11¢	708
1.34	1.45	12¢	709
1.46	1.57	13¢	710
1.58	1.69	14¢	711
1.70	1.81	15¢	712
1.82	1.93	16¢	713
1.94	2.06	17¢	714
2.07	2.18	18¢	715
2.19	2.30	19¢	716
2.31	2.42	20¢	717
2.43	2.54	21¢	718

22¢

2.66

2.55

2.67	2.78	23¢	720
2.79	2.90	24¢	721
2.91	3.03	25¢	722
3.04	3.15	26¢	723
3.16	3.27	27¢	724
3.28	3.39	28¢	725
3.40	3.51	29¢	726
3.52	3.63	30¢	727
3.64	3.75	31¢	728
3.76	3.87	32¢	729
3.88	4.00	33¢	730

If the price exceeds four dollars, the tax is thirty-three cents on each four dollars. If the price exceeds four dollars or a multiple thereof by not more than eleven cents, the amount of tax is thirty-three cents for each four dollars plus one cent. If the price exceeds four dollars or a multiple thereof by more than eleven cents but by not more than twenty-four cents, the amount of tax is thirty-three cents for each four dollars plus two cents. If the price exceeds four dollars or a multiple thereof by more than twenty-four cents, the amount of tax is thirty-three cents for each four dollars plus the amount of tax for prices twenty-six cents through three dollars and ninety-nine cents in accordance with the schedule above.

(10) When the combined rate of state and local tax is eight and one-half per cent:

If the price		The amount of	745
is at least	But not more than	the tax is	746
\$ .01	\$ .15	No tax	747
.16	.23	2¢	748
.24	.35	3¢	749

.36	.47	4¢	750
.48	.58	5¢	751
.59	.70	6¢	752
.71	.82	7¢	753
.83	.94	8¢	754
.95	1.05	9¢	755
1.06	1.17	10¢	756
1.18	1.29	11¢	757
1.30	1.41	12¢	758
1.42	1.52	13¢	759
1.53	1.64	14¢	760
1.65	1.76	15¢	761
1.77	1.88	16¢	762
1.89	2.00	17¢	763

If the price exceeds two dollars, the tax is seventeen cents on each two dollars. If the price exceeds two dollars or a multiple thereof by not more than eleven cents, the amount of tax is seventeen cents for each two dollars plus one cent. If the price exceeds two dollars or a multiple thereof by more than eleven cents but by not more than twenty-three cents, the amount of tax is seventeen cents for each two dollars plus two cents. If the price exceeds two dollars or a multiple thereof by more than twenty-three cents, the amount of tax is seventeen cents for each two dollars plus the amount of tax for prices twenty-four cents through one dollar and ninety-nine cents in accordance with the schedule above.

(11) When the combined rate of state and local tax is eight and three-fourths per cent:

If the price		The amount of	778
is at least	But not more than	the tax is	779

\$ .01	\$ .15	No tax	780
.16	.22	2¢	781
.23	.34	3¢	782
.35	.45	4¢	783
.46	.57	5¢	784
.58	.68	6¢	785
.69	.80	7¢	786
.81	.91	8¢	787
.92	1.02	9¢	788
1.03	1.14	10¢	789
1.15	1.25	11¢	790
1.26	1.37	12¢	791
1.38	1.48	13¢	792
1.49	1.60	14¢	793
1.61	1.71	15¢	794
1.72	1.82	16¢	795
1.83	1.94	17¢	796
1.95	2.05	18¢	797
2.06	2.17	19¢	798
2.18	2.28	20¢	799
2.29	2.40	21¢	800
2.41	2.51	22¢	801
2.52	2.62	23¢	802
2.63	2.74	24¢	803
2.75	2.85	25¢	804
2.86	2.97	26¢	805
2.98	3.08	27¢	806
3.09	3.20	28¢	807
3.21	3.31	29¢	808
3.32	3.42	30¢	809
3.43	3.54	31¢	810
3.55	3.65	32¢	811

828

3.66	3.77	33¢	812
3.78	3.88	34¢	813
3.89	4.00	35¢	814

If the price exceeds four dollars, the tax is thirty-five 815 cents on each four dollars. If the price exceeds four dollars or 816 a multiple thereof by not more than eleven cents, the amount of 817 tax is thirty-five cents for each four dollars plus one cent. If 818 the price exceeds four dollars or a multiple thereof by more 819 than eleven cents but by not more than twenty-two cents, the 820 amount of tax is thirty-five cents for each four dollars plus 821 822 two cents. If the price exceeds four dollars or a multiple thereof by more than twenty-two cents, the amount of tax is 823 thirty-five cents for each four dollars plus the amount of tax 824 for prices twenty-three cents through three dollars and ninety-825 nine cents in accordance with the schedule above. 826

(12) When the combined rate of state and local tax is nine per cent:

If the price		The amount of	829
is at least	But not more than	the tax is	830
\$ .01	\$ .15	No tax	831
.16	.22	2¢	832
.23	.33	3¢	833
.34	. 44	4¢	834
.45	.55	5¢	835
.56	.66	6¢	836
.67	.77	7¢	837
.78	.88	8¢	838
.89	1.00	9¢	839

If the price exceeds one dollar, the tax is nine cents on 840 each one dollar. If the price exceeds one dollar or a multiple 841

thereof by not more than eleven cents, the amount of tax is nine cents for each one dollar plus one cent. If the price exceeds one dollar or a multiple thereof by more than eleven cents but by not more than twenty-two cents, the amount of tax is nine cents for each one dollar plus two cents. If the price exceeds one dollar or a multiple thereof by more than twenty-two cents, the amount of tax is nine cents for each one dollar plus the amount of tax for prices twenty-three cents through ninety-nine cents in accordance with the schedule above.

(C) On and after July 1, 2005, and on and before December 851 31, 2005, the combined taxes levied by sections 5739.02 and 852 5741.02 and pursuant to sections 5739.021, 5739.023, 5739.026, 853 5741.021, 5741.022, and 5741.023 of the Revised Code shall be 854 collected in accordance with the following schedules: 855

(1) When the total rate of local tax is one-fourth per cent:

If the price	But not	The amount	858
is at least	more than	of the tax is	859
\$ .01	\$ .15	No tax	860
.16	.17	1¢	861
.18	.34	2¢	862
.35	.52	3¢	863
.53	.69	4¢	864
.70	.86	5¢	865
.87	1.04	6¢	866
1.05	1.21	7¢	867
1.22	1.39	8¢	868
1.40	1.56	9¢	869
1.57	1.73	10¢	870
1.74	1.91	11¢	871

1.92	2.08	12¢	872
2.09	2.26	13¢	873
2.27	2.43	14¢	874
2.44	2.60	15¢	875
2.61	2.78	16¢	876
2.79	2.95	17¢	877
2.96	3.13	18¢	878
3.14	3.30	19¢	879
3.31	3.47	20¢	880
3.48	3.65	21¢	881
3.66	3.82	22¢	882
3.83	4.00	23¢	883

If the price exceeds four dollars, the tax is twenty-three cents on each four dollars. If the price exceeds four dollars or a multiple thereof by not more than seventeen cents, the amount of tax is twenty-three cents for each four dollars plus one cent. If the price exceeds four dollars or a multiple thereof by more than seventeen cents, the amount of tax is twenty-three cents for each four dollars plus the amount of tax for prices eighteen cents through three dollars and ninety-nine cents in accordance with the schedule above.

(2) When the combined rate of local tax is one-half per cent:

If the price	But not	The amount	895
is at least	more than	of the tax is	896
\$ .01	\$ .15	No tax	897
.16	.17	1¢	898
.18	.34	2¢	899
.35	.50	3¢	900
.51	.67	4¢	901

Sub. H. B. No. 176 As Reported by the House Finance Committee

Page:	32
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.68	.83	5¢	902
.84	1.00	6¢	903

If the price exceeds one dollar, the tax is six cents on each one dollar. If the price exceeds one dollar or a multiple thereof by not more than seventeen cents, the amount of tax is six cents for each one dollar plus one cent. If the price exceeds one dollar or a multiple thereof by more than seventeen cents, the amount of tax is six cents for each one dollar plus the amount of tax for prices eighteen cents through ninety-nine cents in accordance with the schedule above.

(3) When the combined rate of local tax is three-fourths per cent:

If the price	But not	The amount	914
is at least	more than	of the tax is	915
\$ .01	\$ .15	No tax	916
.16	.16	1¢	917
.17	.32	2¢	918
.33	.48	3¢	919
.49	.64	4¢	920
.65	.80	5¢	921
.81	.96	6¢	922
.97	1.12	7¢	923
1.13	1.28	8¢	924
1.29	1.44	9¢	925
1.45	1.60	10¢	926
1.61	1.76	11¢	927
1.77	1.92	12¢	928
1.93	2.08	13¢	929
2.09	2.24	14¢	930
2.25	2.40	15¢	931

2.41	2.56	16¢	932
2.57	2.72	17¢	933
2.73	2.88	18¢	934
2.89	3.04	19¢	935
3.05	3.20	20¢	936
3.21	3.36	21¢	937
3.37	3.52	22¢	938
3.53	3.68	23¢	939
3.69	3.84	24¢	940
3.85	4.00	25¢	941

If the price exceeds four dollars, the tax is twenty-five cents on each four dollars. If the price exceeds four dollars or a multiple thereof by not more than sixteen cents, the amount of tax is twenty-five cents for each four dollars plus one cent. If the price exceeds four dollars or a multiple thereof by more than sixteen cents, the amount of tax is twenty-five cents for each four dollars plus the amount of tax for prices seventeen cents through three dollars and ninety-nine cents in accordance with the schedule above.

(4) When the combined rate of local tax is one per cent:

If the price	But not	The amount	952
is at least	more than	of the tax is	953
\$ .01	\$ .15	No tax	954
.16	.30	2¢	955
.31	.46	3¢	956
.47	.61	4¢	957
.62	.76	5¢	958
.77	.92	6¢	959
.93	1.07	7¢	960
1.08	1.23	8¢	961

Sub. H. B. No. 176 As Reported by the House Finance Committee

Page 34	Page	34
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1.24	1.38	9¢	962
1.39	1.53	10¢	963
1.54	1.69	11¢	964
1.70	1.84	12¢	965
1.85	2.00	13¢	966

If the price exceeds two dollars, the tax is thirteen cents on each two dollars. If the price exceeds two dollars or a multiple thereof by not more than fifteen cents, the amount of tax is thirteen cents for each two dollars plus one cent. If the price exceeds two dollars or a multiple thereof by more than fifteen cents, the amount of tax is thirteen cents for each two dollars plus the amount of tax for prices sixteen cents through one dollar and ninety-nine cents in accordance with the schedule above.

(5) When the combined rate of local tax is one and one-fourth per cent:

If the price	But not	The amount	978
is at least	more than	of the tax is	979
\$ .01	\$ .15	No tax	980
.16	.29	2¢	981
.30	. 44	3¢	982
.45	.59	4¢	983
.60	.74	5¢	984
.75	.88	6¢	985
.89	1.03	7¢	986
1.04	1.18	8¢	987
1.19	1.33	9¢	988
1.34	1.48	10¢	989
1.49	1.62	11¢	990
1.63	1.77	12¢	991

Sub. H. B. No. 176			
As Reported by the	House	<b>Finance</b>	Committee

Page	35
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1.78	1.92	13¢	992
1.93	2.07	14¢	993
2.08	2.22	15¢	994
2.23	2.37	16¢	995
2.38	2.51	17¢	996
2.52	2.66	18¢	997
2.67	2.81	19¢	998
2.82	2.96	20¢	999
2.97	3.11	21¢	1000
3.12	3.25	22¢	1001
3.26	3.40	23¢	1002
3.41	3.55	24¢	1003
3.56	3.70	25¢	1004
3.71	3.85	26¢	1005
3.86	4.00	27¢	1006

If the price exceeds four dollars, the tax is twenty-seven 1007 cents on each four dollars. If the price exceeds four dollars or 1008 a multiple thereof by not more than fourteen cents, the amount 1009 of tax is twenty-seven cents for each four dollars plus one 1010 cent. If the price exceeds four dollars or a multiple thereof by 1011 more than fourteen but by not more than twenty-nine cents, the 1012 amount of tax is twenty-seven cents for each four dollars plus 1013 two cents. If the price exceeds four dollars or a multiple 1014 thereof by more than twenty-nine cents the amount of tax is 1015 twenty-seven cents for each four dollars plus the amount of tax 1016 for prices thirty cents through three dollars and ninety-nine 1017 cents in accordance with the schedule above. 1018

	(6)	When	the	combined	rate	of	local	tax	is	one	and	one-	1019
half	per	cent:	:										1020

If the price But not The amount 1021

is at least	more than	of the tax is	1022
\$ .01	\$ .15	No tax	1023
.16	.28	2¢	1024
.29	.42	3¢	1025
.43	.57	4¢	1026
.58	.71	5¢	1027
.72	.85	6¢	1028
.86	1.00	7¢	1029

If the price exceeds one dollar, the tax is seven cents on each one dollar. If the price exceeds one dollar or a multiple thereof by not more than fifteen cents, the amount of tax is seven cents for each one dollar plus one cent. If the price exceeds one dollar or a multiple thereof by more than fifteen cents, the amount of tax is seven cents for each one dollar plus the amount of tax for prices sixteen cents through ninety-nine cents in accordance with the schedule above.

(7) When the combined rate of local tax is one and three-fourths per cent:

If the price	But not	The amount	1040
is at least	more than	of the tax is	1041
\$ .01	\$ .15	No tax	1042
.16	.27	2¢	1043
.28	.41	3¢	1044
.42	.55	4¢	1045
.56	.68	5¢	1046
.69	.82	6¢	1047
.83	.96	7¢	1048
.97	1.10	8¢	1049
1.11	1.24	9¢	1050
1.25	1.37	10¢	1051

1.38	1.51	11¢	1052
1.52	1.65	12¢	1053
1.66	1.79	13¢	1054
1.80	1.93	14¢	1055
1.94	2.06	15¢	1056
2.07	2.20	16¢	1057
2.21	2.34	17¢	1058
2.35	2.48	18¢	1059
2.49	2.62	19¢	1060
2.63	2.75	20¢	1061
2.76	2.89	21¢	1062
2.90	3.03	22¢	1063
3.04	3.17	23¢	1064
3.18	3.31	24¢	1065
3.32	3.44	25¢	1066
3.45	3.58	26¢	1067
3.59	3.72	27¢	1068
3.73	3.86	28¢	1069
3.87	4.00	29¢	1070

If the price exceeds four dollars, the tax is twenty-nine 1071 cents on each four dollars. If the price exceeds four dollars or 1072 a multiple thereof by not more than thirteen cents, the amount 1073 of tax is twenty-nine cents for each four dollars plus one cent. 1074 If the price exceeds four dollars or a multiple thereof by more 1075 than thirteen cents but by not more than twenty-seven cents, the 1076 amount of tax is twenty-nine cents for each four dollars plus 1077 two cents. If the price exceeds four dollars or a multiple 1078 thereof by more than twenty-seven cents, the amount of tax is 1079 twenty-nine cents for each four dollars plus the amount of tax 1080 for prices twenty-eight cents through three dollars and ninety-1081 nine cents in accordance with the schedule above. 1082

(8) When the	combined rate of	local tax is two per cent:	1083
If the price	But not	The amount	1084
is at least	more than	of the tax is	1085
\$ .01	\$ .15	No tax	1086
.16	.26	2¢	1087
.27	.40	3¢	1088
.41	.53	4¢	1089
.54	.65	5¢	1090
.66	.80	6¢	1091
.81	.93	7¢	1092
.94	1.06	8¢	1093
1.07	1.20	9¢	1094
1.21	1.33	10¢	1095
1.34	1.46	11¢	1096
1.47	1.60	12¢	1097
1.61	1.73	13¢	1098
1.74	1.86	14¢	1099
1.87	2.00	15¢	1100

If the price exceeds two dollars, the tax is fifteen cents on each two dollars. If the price exceeds two dollars or a multiple thereof by not more than fifteen cents, the amount of tax is fifteen cents for each two dollars plus one cent. If the price exceeds two dollars or a multiple thereof by more than fifteen cents, the amount of tax is fifteen cents for each two dollars plus the amount of tax for prices sixteen cents through one dollar and ninety-nine cents in accordance with the schedule above.

(9) When the combined rate of local tax is two and one-fourth per cent:

If the price But not The amount 1112

Sub. H. B. No. 176 As Reported by the House Finance Committee

Page	39
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is at l	least more	e than of	the tax	x is	1113
\$ .0	)1 \$	.15	No tax	3	1114
.1	16	.25	2¢	}	1115
.2	26	.38	3¢		1116
.3	39	.51	4¢		1117
. 5	52	.64	5¢		1118
. 6	55	.77	6¢		1119
. 7	78	.90	7¢		1120
. 9	91	1.03	8¢	}	1121
1.0	)4	1.16	9¢	}	1122
1.1	17	1.29	10¢	}	1123
1.3	30	1.41	11¢		1124
1.4	12	1.54	12¢		1125
1.5	55	1.67	13¢		1126
1.6	58	1.80	14¢		1127
1.8	31	1.93	15¢		1128
1.9	94 2	2.06	16¢	}	1129
2.0	)7	2.19	17¢	}	1130
2.2	20 2	2.32	18¢		1131
2.3	33 2	2.45	19¢		1132
2.4	16 2	2.58	20¢		1133
2.5	59 2	2.70	21¢		1134
2.7	71 2	2.83	22¢		1135
2.8	34 2	2.96	23¢	}	1136
2.9	97	3.09	24¢	}	1137
3.1	10	3.22	25¢	}	1138
3.2	23	3.35	26¢	}	1139
3.3	36	3.48	27¢	}	1140
3.4	19	3.61	28¢	}	1141
3.6	52	3.74	29¢	}	1142
3.7	75	3.87	30¢		1143
3.8	38	4.00	31¢	}	1144

1158

If the price exceeds four dollars, the tax is thirty-one 1145 cents on each four dollars. If the price exceeds four dollars or 1146 a multiple thereof by not more than twelve cents, the amount of 1147 tax is thirty-one cents for each four dollars plus one cent. If 1148 the price exceeds four dollars or a multiple thereof by more 1149 than twelve cents but not more than twenty-five cents, the 1150 amount of tax is thirty-one cents for each four dollars plus two 1151 cents. If the price exceeds four dollars or a multiple thereof 1152 by more than twenty-five cents, the amount of tax is thirty-one 1153 cents for each four dollars plus the amount of tax for prices 1154 twenty-six cents through three dollars and ninety-nine cents in 1155 accordance with the schedule above. 1156

(10) When the combined rate of local tax is two and one-half per cent:

If the price	But not	The amount	1159
is at least	more than	of the tax is	1160
\$ .01	\$ .15	No tax	1161
.16	.25	2¢	1162
.26	.37	3¢	1163
.38	.50	4¢	1164
.51	.62	5¢	1165
.63	.75	6¢	1166
.76	.87	7¢	1167
.88	1.00	8¢	1168

If the price exceeds one dollar, the tax is eight cents on 1169 each one dollar. If the price exceeds one dollar or a multiple 1170 thereof by not more than twelve cents, the amount of tax is 1171 eight cents for each one dollar plus one cent. If the price 1172 exceeds one dollar or a multiple thereof by more than twelve 1173 cents but not more than twenty-five cents, the amount of tax is 1174

Sub. H. B. No. 176 As Reported by the House Finance Committee

Page 41

eight cents for each	ch one dollar plus	s two cents. If the price	1175
exceeds one dollar	or a multiple the	ereof by more than twenty-	1176
five cents, the amo	ount of tax is eig	ght cents for each one dollar	1177
plus the amount of	tax for prices to	wenty-six cents through	1178
ninety-nine cents	in accordance with	n the schedule above.	1179
(11) When the	combined rate of	local tax is two and three-	1180
fourths per cent:			1181
If the price	But not	The amount	1182
is at least		of the tax is	1183
\$ .01	\$ .15	No tax	1184
.16	.24	2¢	1185
.25	.36	3¢	1186
.37	.48	4 ¢	1187
.49	.60	5¢	1188
.61	.72	6¢	1189
.73	.84	7¢	1190
.85	.96	8¢	1191
.97	1.09	9¢	1192
1.10	1.21	10¢	1193
1.22	1.33	11¢	1194
1.34	1.45	12¢	1195
1.46	1.57	13¢	1196
1.58	1.69	14¢	1197
1.70	1.81	15¢	1198
1.82	1.93	16¢	1199
1.94	2.06	17¢	1200
2.07	2.18	18¢	1201
2.19	2.30	19¢	1202
2.31	2.42	20¢	1203
2.43	2.54	21¢	1204
2.55	2.66	22¢	1205

1219

1220

1221

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1223

1227

1228

1229 1230

2.67	2.78	23¢	1206
2.79	2.90	24¢	1207
2.91	3.03	25¢	1208
3.04	3.15	26¢	1209
3.16	3.27	27¢	1210
3.28	3.39	28¢	1211
3.40	3.51	29¢	1212
3.52	3.63	30¢	1213
3.64	3.75	31¢	1214
3.76	3.87	32¢	1215
3.88	4.00	33¢	1216

If the price exceeds four dollars, the tax is thirty-three 1217 cents on each four dollars. If the price exceeds four dollars or a multiple thereof by not more than eleven cents, the amount of tax is thirty-three cents for each four dollars plus one cent. If the price exceeds four dollars or a multiple thereof by more than eleven cents but not more than twenty-four cents, the amount of tax is thirty-three cents for each four dollars plus two cents. If the price exceeds four dollars or a multiple 1224 thereof by more than twenty-four cents, the amount of tax is 1225 thirty-three cents for each four dollars plus the amount of tax 1226 for prices twenty-six cents through three dollars and ninetynine cents in accordance with the schedule above.

(12) When the combined rate of local tax is three per cent:

If the price	But not	The amount	1231
is at least	more than	of the tax is	1232
\$ .01	\$ .15	No tax	1233
.16	.23	2¢	1234
.24	.35	3¢	1235

1263

1264

1265

.36	.47	4¢	1236
.48	.58	5¢	1237
.59	.70	6¢	1238
.71	.82	7¢	1239
.83	.94	8¢	1240
.95	1.05	9¢	1241
1.06	1.17	10¢	1242
1.18	1.29	11¢	1243
1.30	1.41	12¢	1244
1.42	1.52	13¢	1245
1.53	1.64	14¢	1246
1.65	1.76	15¢	1247
1.77	1.88	16¢	1248
1.89	2.00	17¢	1249

If the price exceeds two dollars, the tax is seventeen 1250 cents on each two dollars. If the price exceeds two dollars or a 1251 multiple thereof by not more than eleven cents, the amount of 1252 tax is seventeen cents for each two dollars plus one cent. If 1253 the price exceeds two dollars or a multiple thereof by more than 1254 eleven cents but not more than twenty-three cents, the amount of 1255 tax is seventeen cents for each two dollars plus two cents. If 1256 the price exceeds two dollars or a multiple thereof by more than 1257 twenty-three cents, the amount of tax is seventeen cents for 1258 each two dollars plus the amount of tax for prices twenty-four 1259 cents through one dollar and ninety-nine cents in accordance 1260 with the schedule above. 1261

- (D) In lieu of collecting the tax pursuant to the schedules set forth in divisions (A), (B), and (C) of this section, a vendor may compute the tax on each sale as follows:
  - (1) On sales of fifteen cents or less, no tax shall apply.

- (2) On sales in excess of fifteen cents, multiply the 1266 price by the aggregate rate of taxes in effect under sections 1267 5739.02 and 5741.02 and sections 5739.021, 5739.023, 5739.026, 1268 5741.021, 5741.022, and 5741.023 of the Revised Code. The 1269 computation shall be carried out to six decimal places. If the 1270 result is a fractional amount of a cent, the calculated tax 1271 shall be increased to the next highest cent and that amount 1272 shall be collected by the vendor. 1273
- (E) On and after January 1, 2006, a vendor shall compute 1274 the tax on each sale by multiplying the price by the aggregate 1275 rate of taxes in effect under sections 5739.02 and 5741.02, and 1276 sections 5739.021, 5739.023, 5739.026, 5741.021, 5741.022, and 1277 5741.023 of the Revised Code. The computation shall be carried 1278 out to three decimal places. If the result is a fractional 1279 amount of a cent, the calculated tax shall be rounded to a whole 1280 cent using a method that rounds up to the next cent whenever the 1281 third decimal place is greater than four. A vendor may elect to 1282 compute the tax due on a transaction on an item or an invoice 1283 basis. 1284
- (F) In auditing a vendor, the tax commissioner shall 1285 consider the method prescribed by this section that was used by 1286 the vendor in determining and collecting the tax due under this 1287 chapter on taxable transactions. If the vendor correctly 1288 collects and remits the tax due under this chapter in accordance 1289 with the schedules in divisions (A), (B), and (C) of this 1290 section or in accordance with the computation prescribed in 1291 division (D) or (E) of this section, the commissioner shall not 1292 assess any additional tax on those transactions. 1293
- (G)(1) With respect to a sale of a fractional ownership 1294 program aircraft used primarily in a fractional aircraft 1295

ownership program, including all accessories attached to such	1296
aircraft, the tax shall be calculated pursuant to divisions (A)	1297
to (E) of this section, provided that the tax commissioner shall	1298
modify those calculations so that the maximum tax on each	1299
program aircraft is eight hundred dollars. In the case of a sale	1300
of a fractional interest that is less than one hundred per cent	1301
of the program aircraft, the tax charged on the transaction	1302
shall be eight hundred dollars multiplied by a fraction, the	1303
numerator of which is the percentage of ownership or possession	1304
in the aircraft being purchased in the transaction, and the	1305
denominator of which is one hundred per cent.	1306
(2) Notwithstanding any other provision of law to the	1307
contrary, the tax calculated under division (G)(1) of this	1308
section and paid with respect to the sale of a fractional	1309
ownership program aircraft used primarily in a fractional	1310
aircraft ownership program shall be credited to the general	1311
revenue fund.	1312
(H)(1) As used in this division, "qualified plug-in	1313
electric drive vehicle" means a four-wheeled vehicle that meets	1314
all of the following requirements:	1315
(a) The manufacturer made the vehicle primarily for use on	1316
public streets, roads, and highways and the vehicle has not been	1317
modified from original manufacturer specifications.	1318
(b) The vehicle has a maximum speed capability equal to or	1319
greater than fifty-five miles per hour.	1320
(c) The vehicle is propelled to a significant extent by an	1321
electric motor that draws electricity from a battery that has a	1322
capacity of at least four kilowatt-hours and that is capable of	1323
being recharged from an external source of electricity.	1324

(d) The vehicle is registered in this state for operation	1325
on public highways.	1326
(e) The consumer purchased or leased the vehicle for	1327
personal use or for use in business and not for resale on or	1328
after the first day of the first month after the effective date	1329
	1330
of the amendment of this section byB of the 131st general assembly and before the first day of the sixty-first month after	1331
	1332
that effective date.	1332
(f) The consumer purchased or leased the vehicle in	1333
accordance with any laws or regulations governing the purchase	1334
or lease of alternative fuel or electric vehicles applicable at	1335
the time of sale or lease.	1336
(2)(a) Subject to the limitation in division (H)(2)(b) of	1337
this section, with respect to the sale or lease of a qualified	1338
plug-in electric drive vehicle, the amount of tax due under this	1339
section shall equal the amount of tax calculated pursuant to	1340
divisions (A) to (E) of this section subtracted by five hundred	1341
dollars, provided that if the result of that calculation is less	1342
than or equal to zero, no tax is due.	1343
(b) If the consumer is an individual purchasing the	1344
vehicle primarily for personal use, the partial exemption	1345
provided in division (H)(2)(a) of this section applies to the	1346
purchase or lease of only one qualified plug-in electric drive	1347
vehicle by that individual in a calendar year. If the consumer	1348
is a business purchasing the vehicle for use in the business,	1349
the partial exemption applies to the purchase or lease of only	1350
ten qualified plug-in electric drive vehicles by that business	1351
in a calendar year.	1352
Sec. 5747.78. (A) As used in this section:	1353

(1) "Alternative fuel" means compressed natural gas,	1354
liquid natural gas, or liquid petroleum gas.	1355
(2) "Alternative fuel vehicle" means a motor vehicle that	1356
is registered in this state for operation on public highways and	1357
that is propelled by a motor that runs on alternative fuel.	1358
"Alternative fuel vehicle" includes a bi-fueled or dual-fueled	1359
vehicle with a motor that can run on both alternative fuel and	1360
on gasoline or diesel fuel.	1361
(3) "New alternative fuel vehicle" means an alternative	1362
fuel vehicle that meets all of the following criteria:	1363
(a) The taxpayer purchased the vehicle from an original	1364
equipment manufacturer, automobile retailer, or after-market	1365
conversion facility.	1366
(b) The taxpayer was the first person to purchase the	1367
vehicle for personal use or for use in business and not for	1368
resale.	1369
(c) The alternative fuel technology used in the vehicle	1370
has received a compliance designation or been certified by the	1371
United States environmental protection agency for new or	1372
intermediate use.	1373
(d) If the vehicle is propelled by a motor that runs on	1374
compressed natural gas, at least five years remain until the	1375
date established by the manufacturer of the compressed natural	1376
gas tank as the end-of-life date for the tank.	1377
(4) "Traditional fuel vehicle" means a motor vehicle that	1378
is registered in this state for operation on public highways and	1379
that is propelled by gasoline or diesel fuel.	1380
(5) "Adjusted purchase price" means the portion of the	1381

purchase price of a new alternative fuel vehicle that is	1382
attributable to the parts and equipment used for the storage of	1383
alternative fuel, the delivery of alternative fuel to the motor,	1384
and the exhaust of gases from the combustion of alternative	1385
<u>fuel.</u>	1386
(6) "Conversion parts and equipment" shall not include	1387
parts and equipment that have previously been used to modify or	1388
retrofit another traditional fuel vehicle.	1389
(B) A nonrefundable credit may be claimed against the tax	1390
imposed by section 5747.02 of the Revised Code by a taxpayer	1391
that, on or after the effective date of the enactment of this	1392
section and before the first day of the sixty-first month after	1393
that effective date, purchases a new alternative fuel vehicle or	1394
converts a traditional fuel vehicle into an alternative fuel	1395
vehicle. The amount of the credit shall equal the lesser of	1396
fifty per cent of the adjusted purchase price of the new	1397
alternative fuel vehicle or of the cost of the conversion parts	1398
and equipment, as applicable, or one of the following amounts:	1399
(1) For the purchase or conversion of an alternative fuel	1400
vehicle with a gross vehicle rating of eight thousand five	1401
hundred pounds or less, five thousand dollars;	1402
(2) For the purchase or conversion of an alternative fuel	1403
vehicle with a gross vehicle rating equal to or less than ten	1404
thousand pounds, but more than eight thousand five hundred	1405
<pre>pounds, ten thousand dollars;</pre>	1406
(3) For the purchase or conversion of an alternative fuel	1407
vehicle with a gross vehicle rating of more than ten thousand	1408
pounds, twenty-five thousand dollars.	1409
The taxpayer shall claim the credit for the taxable year	1410

in which the taxpayer purchases the new alternative fuel vehicle	1411	
or the conversion parts and equipment.		
(C) The taxpayer shall claim a credit allowed under this	1413	
section in the order required by section 5747.98 of the Revised	1414	
Code. The credit, to the extent it exceeds the taxpayer's tax	1415	
liability for a taxable year after allowing for any other	1416	
credits that precede the credit under that section, may be	1417	
carried forward to the next succeeding taxable year or years,	1418	
but the amount of the excess credit claimed for any taxable year	1419	
shall be deducted from the balance carried forward to the next	1420	
taxable year.	1421	
(D) Not more than one credit shall be allowed under this	1422	
section or section 5751.55 of the Revised Code on the basis of	1423	
the same alternative fuel vehicle or same conversion parts and	1424	
equipment.	1425	
(E) A taxpayer that is an equity investor in a pass-	1426	
through entity that purchases a new alternative fuel vehicle or	1427	
converts a traditional fuel vehicle into an alternative fuel	1428	
vehicle within the time period prescribed in division (B) of	1429	
this section may claim the taxpayer's distributive or	1430	
proportionate share of the credit for the taxpayer's taxable	1431	
year that includes the last day of the entity's taxable year in	1432	
which the vehicle or conversion parts and equipment were	1433	
purchased.	1434	
(F) The tax commissioner may promulgate any rules	1435	
necessary for the administration of this section.	1436	
Sec. 5747.98. (A) To provide a uniform procedure for	1437	
calculating the amount of tax due under section 5747.02 of the	1438	
Revised Code, a taxpayer shall claim any credits to which the	1439	

taxpayer is entitled in the following order:	1440
(1) The retirement income credit under division (B) of	1441
section 5747.055 of the Revised Code;	1442
(2) The senior citizen credit under division (C) of	1443
section 5747.05 of the Revised Code;	1444
(3) The lump sum distribution credit under division (D) of	1445
section 5747.05 of the Revised Code;	1446
(4) The dependent care credit under section 5747.054 of	1447
the Revised Code;	1448
(5) The lump sum retirement income credit under division	1449
(C) of section 5747.055 of the Revised Code;	1450
(6) The lump sum retirement income credit under division	1451
(D) of section 5747.055 of the Revised Code;	1452
(7) The lump sum retirement income credit under division	1453
(E) of section 5747.055 of the Revised Code;	1454
(8) The low-income credit under section 5747.056 of the	1455
Revised Code;	1456
(9) The credit for displaced workers who pay for job	1457
training under section 5747.27 of the Revised Code;	1458
(10) The campaign contribution credit under section	1459
5747.29 of the Revised Code;	1460
(11) The twenty-dollar personal exemption credit under	1461
section 5747.022 of the Revised Code;	1462
(12) The joint filing credit under division (G) of section	1463
5747.05 of the Revised Code;	1464
(13) The nonresident credit under division (A) of section	1465

5747.05 of the Revised Code;	1466
(14) The credit for a resident's out-of-state income under	1467
division (B) of section 5747.05 of the Revised Code;	1468
(15) The earned income credit under section 5747.71 of the	1469
Revised Code;	1470
(16) The credit for employers that reimburse employee	1471
child care expenses under section 5747.36 of the Revised Code;	1472
(17) The credit for adoption of a minor child under	1473
section 5747.37 of the Revised Code;	1474
(18) The credit for purchases of lights and reflectors	1475
under section 5747.38 of the Revised Code;	1476
(19) The nonrefundable job retention credit under division	1477
(B) of section 5747.058 of the Revised Code;	1478
(20) The credit for selling alternative fuel under section	1479
5747.77 of the Revised Code;	1480
(21) The second credit for purchases of new manufacturing	1481
machinery and equipment and the credit for using Ohio coal under	1482
section 5747.31 of the Revised Code;	1483
(22) The job training credit under section 5747.39 of the	1484
Revised Code;	1485
(23) The enterprise zone credit under section 5709.66 of	1486
the Revised Code;	1487
(24) The credit for the eligible costs associated with a	1488
voluntary action under section 5747.32 of the Revised Code;	1489
(25) The credit for employers that establish on-site child	1490
day-care centers under section 5747.35 of the Revised Code;	1491

(26) The ethanol plant investment credit under section	1492
5747.75 of the Revised Code;	1493
(27) The credit for purchases of qualifying grape	1494
production property under section 5747.28 of the Revised Code;	1495
(20) The small business investment and it under eaction	1406
(28) The small business investment credit under section 5747.81 of the Revised Code;	1496 1497
5/4/.or or the Revised Code,	1497
(29) The enterprise zone credits under section 5709.65 of	1498
the Revised Code;	1499
(30) The research and development credit under section	1500
5747.331 of the Revised Code;	1501
(31) The credit for rehabilitating a historic building	1502
under section 5747.76 of the Revised Code;	1503
	4-04
(32) The nonrefundable credit for the purchase or	1504
conversion of an alternative fuel vehicle under section 5747.78	1505
of the Revised Code;	1506
(33) The refundable credit for rehabilitating a historic	1507
building under section 5747.76 of the Revised Code;	1508
$\frac{(33)}{(34)}$ The refundable jobs creation credit or job	1509
retention credit under division (A) of section 5747.058 of the	1510
Revised Code;	1511
$\frac{(34)-(35)}{(35)}$ The refundable credit for taxes paid by a	1512
qualifying entity granted under section 5747.059 of the Revised	1513
Code;	1514
(35) (36) The refundable credits for taxes paid by a	1515
qualifying pass-through entity granted under division (I) of	1516
section 5747.08 of the Revised Code;	1517
$\frac{(36)}{(37)}$ The refundable credit under section 5747.80 of	1518

the Revised Code for losses on loans made to the Ohio venture	1519
capital program under sections 150.01 to 150.10 of the Revised	1520
Code;	1521
(37) (38) The refundable motion picture production credit	1522
under section 5747.66 of the Revised Code;	1523
ander become of the or one hereboards	1010
(38) (39) The refundable credit for financial institution	1524
taxes paid by a pass-through entity granted under section	1525
5747.65 of the Revised Code.	1526
(B) For any credit, except the refundable credits	1527
enumerated in this section and the credit granted under division	1528
(H) of section 5747.08 of the Revised Code, the amount of the	1529
credit for a taxable year shall not exceed the tax due after	1530
allowing for any other credit that precedes it in the order	1531
required under this section. Any excess amount of a particular	1532
credit may be carried forward if authorized under the section	1533
creating that credit. Nothing in this chapter shall be construed	1534
to allow a taxpayer to claim, directly or indirectly, a credit	1535
more than once for a taxable year.	1536
Sec. 5751.55. (A) As used in this section, "alternative	1537
fuel," "alternative fuel vehicle," "new alternative fuel	1538
vehicle," "traditional fuel vehicle," "adjusted purchase price,"	1539
and "conversion parts and equipment" have the same meanings as	1540
in section 5747.78 of the Revised Code.	1541
(B) A nonrefundable credit may be claimed against the tax	1542
imposed by section 5751.02 of the Revised Code by a taxpayer	1543
that, on or after the effective date of the enactment of this	1544
section by this act and before the first day of the sixty-first	1545
month after that effective date, purchases a new alternative	1546
fuel vehicle or converts a traditional fuel vehicle into an	1547

alternative fuel vehicle. The amount of the credit shall equal	1548			
the lesser of fifty per cent of the adjusted purchase price of				
the new alternative fuel vehicle or of the cost of the	1550			
conversion parts and equipment, as applicable, or one of the	1551			
<pre>following amounts:</pre>	1552			
(1) For the purchase or conversion of an alternative fuel	1553			
vehicle with a gross vehicle rating of eight thousand five	1554			
hundred pounds or less, five thousand dollars;	1555			
(2) For the purchase or conversion of an alternative fuel	1556			
vehicle with a gross vehicle rating equal to or less than ten	1557			
thousand pounds, but more than eight thousand five hundred	1558			
pounds, ten thousand dollars;	1559			
(3) For the purchase or conversion of an alternative fuel	1560			
vehicle with a gross vehicle rating of more than ten thousand	1561			
pounds, twenty-five thousand dollars.	1562			
The taxpayer shall claim the credit for the tax period in	1563			
which the taxpayer purchases the new alternative fuel vehicle or	1564			
the conversion parts and equipment.	1565			
(C) The taxpayer shall claim a credit allowed under this	1566			
section in the order required by section 5751.98 of the Revised	1567			
Code. The credit, to the extent it exceeds the taxpayer's tax	1568			
liability for a tax period after allowing for any other credits	1569			
that precede the credit under that section, may be carried	1570			
forward to the next succeeding tax period or periods, but the	1571			
amount of the excess credit claimed for any tax period shall be	1572			
deducted from the balance carried forward to the next tax	1573			
period.	1574			
(D) Not more than one credit shall be allowed under this	1575			
section or section 5747.78 of the Revised Code on the basis of	1576			

the same alternative fuel vehicle or same conversion parts and	1577
equipment.	1578
(E) The tax commissioner may promulgate any rules	1579
necessary for the administration of this section.	1580
Sec. 5751.98. (A) To provide a uniform procedure for	1581
calculating the amount of tax due under this chapter, a taxpayer	1582
shall claim any credits to which it is entitled in the following	1583
order:	1584
(1) The nonrefundable jobs retention credit under division	1585
(B) of section 5751.50 of the Revised Code;	1586
(2) The nonrefundable credit for qualified research	1587
expenses under division (B) of section 5751.51 of the Revised	1588
Code;	1589
(3) The nonrefundable credit for a borrower's qualified	1590
research and development loan payments under division (B) of	1591
section 5751.52 of the Revised Code;	1592
(4) The nonrefundable credit for calendar years 2010 to	1593
2029 for unused net operating losses under division (B) of	1594
section 5751.53 of the Revised Code;	1595
(5) The nonrefundable credit for the purchase or	1596
conversion of an alternative fuel vehicle under section 5751.55	1597
of the Revised Code;	1598
(6) The refundable motion picture production credit under	1599
section 5751.54 of the Revised Code;	1600
$\frac{(6)}{(7)}$ The refundable jobs creation credit or job	1601
retention credit under division (A) of section 5751.50 of the	1602
Revised Code;	1603

treasury to the credit of the designated fund. For all	1622
appropriations made in this act, those in the first column are	1623
for fiscal year 2016 and those in the second column are for	1624
fiscal year 2017. The appropriations made in this act are in	1625
addition to any other appropriations made for the FY 2016-FY	1626
2017 biennium.	1627
EPA ENVIRONMENTAL PROTECTION AGENCY	1628
Dedicated Purpose Fund Group	1629

5NPO 715695 Gaseous Fu	uel Vehicle	\$16,000,000	\$16,000,000	1630

		163	
Conversion			

from appropriations contained in this act shall be accounted for

1659

Sub. H. B. No. 176 As Reported by the House Finance Committee	Page 58
as though made in the main operating appropriations act of the	1660
131st General Assembly.	1661
The appropriations made in this act are subject to all	1662
provisions of the main operating appropriations act of the 131st	1663
General Assembly that are generally applicable to such	1664
appropriations.	1665