

HB 14 -- Redline

As Passed by the House to Enrolled -- Incorporate Internal Revenue Code changes into Ohio law

Deletions ~~struck~~ · Insertions underlined

~~As (136th Passed General Assembly) by (Amended House Bill Number 14) ANACT To amend section 5701.11 of the House Revised 136th Code General to Assembly expressly Regular incorporate Session changes Am. in the Internal Revenue Code since March 15, 2023, into Ohio law and to declare an emergency.~~

Be it enacted by the General Assembly of the State of Ohio:

SECTION 1.

That section 5701.11 of the Revised Code be amended to read as follows:

Sec.

5701.11.

The effective date to which this section refers is the effective date of this section as amended by S.B. 10 H.B.

14 of the 135th 136th general assembly.

(A)(1) Except as provided under division (A)(2) or (B) of this section, any reference in Title LVII or section 149.311, 3123.90, 3770.073, or 3772.37 of the Revised Code to the Internal Revenue Code, to the Internal Revenue Code "as amended," to other laws of the United States, or to other laws of the United States, "as amended," means the Internal Revenue Code or other laws of the United States as they exist on the effective date.

(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 February 17, 2022 March 15, 2023, 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) of this section remain in effect for the taxable years to which they apply.

SECTION 2.

That existing section 5701.11 of the Revised Code is hereby repealed.

Am.

~~14 2025-2026 136th Representatives G.A. - Roemer, Workman Cosponsors:~~

~~Representatives SECTION Thomas, 3. D., Troy, Richardson, Barhorst, Brennan, Brewer, Claggett, Cockley, Daniels, Deeter, Denson, Fischer, Fowler Arthur, Ghanbari, Glassburn, Grim, Gross, Hall, D., Holmes, Hoops, Isaacsohn, Jarrells, Jones, Lampton, Lawson-Rowe, Lear, Lett, Mathews, A., McNally, Mohamed, Newman, Peterson, Plummer, Ray, Robb Blasdel, Rogers, Russo, Santucci, Schmidt, Sigrist, Sims, Somani, Stephens, Upchurch, White, E., Williams, Willis A BILL To amend section 5701.11 of the Revised Code to 1 expressly incorporate changes in the Internal 2 Revenue Code since March 15, 2023, into Ohio law 3 and to declare an emergency.~~

~~4 This BE act IT is ENACTED hereby BY declared THE to GENERAL be ASSEMBLY an OF emergency THE measure STATE necessary OF for OHIO: the immediate preservation of the public peace, health, and safety.~~

~~Section The 1. reason for such necessity is to enable taxpayers to avoid making miscellaneous adjustments on their 2024 tax returns that increase costs of compliance.~~

~~That Therefore, section this 5701.11 act of shall the go Revised into Code immediate be effect. 5 amended to read as follows:~~

~~6 Am. Sec.~~

~~5701.11.~~

~~The effective date to which this section 7 refers is the effective date of this section as amended by S.B.~~

~~8 H.B.~~

~~14 of the 135th 136th general assembly.~~

~~9 (A)(1) Except as provided under division (A)(2) or (B) of 10 this section, any reference in Title LVII or section 149.311, 11 3123.00, 3770.073, or 3772.37 of the Revised Code to the 12 Internal Revenue Code, to the Internal Revenue Code "as 13 amended," to other laws of the United States, or to other laws~~
~~14 Am.~~

~~14 Page 136th 2G.A. As Passed by the House of the United States, "as amended," means the Internal Revenue~~
~~15 Code or other laws of the United States as they exist on the 16 effective date.~~

~~17 Speaker (2) _____ This section does not apply to any reference in Title 18 LVII of the~~
~~Revised House Code to the Internal Revenue Code as of a Representatives. 19 date certain specifying the~~
~~day, month, and year, or to other 20 laws of the United States as of a date certain specifying the 21~~
~~day, month, and year.~~

~~22 President (B)(1) _____ For purposes of applying section 5733.04, 5745.01, 23 or 5747.01~~
~~of the Revised Senate. Code to a taxpayer's taxable year 24 ending after February 17, 2022 March 15, 2023,~~
~~and before the 25 effective date, a taxpayer may irrevocably elect to incorporate 26 the provisions of~~
~~the Internal Revenue Code or other laws of the 27 United States that are in effect for federal income~~
~~tax purposes 28 for that taxable year if those provisions differ from the 29 provisions that, under~~
~~division (A) of this section, would 30 otherwise apply.~~

~~The Passed filing _____, by 20 the Approved taxpayer _____,~~
~~for 20 that Governor. taxable 31 year of a report or return that incorporates the provisions of 32 the~~
~~Internal Revenue Code or other laws of the United States 33 applicable for federal income tax purposes~~
~~for that taxable 34 year, and that does not include any adjustments to reverse the 35 effects of any~~
~~differences between those provisions and the 36 provisions that would otherwise apply, constitutes the~~
~~making of 37 an irrevocable election under this division for that taxable 38 year.~~

~~39 Am. (2) Elections under prior versions of division (B)(1) of 40 this section remain in effect for the~~
~~taxable years to which 41 they apply.~~

~~42 Section 2.~~

~~That existing section 5701.11 of the Revised 43 Code is hereby repealed.~~

~~44 Am.~~

~~14 Page 136th 3G.A. As Passed by the House Section 3.~~

~~This The act section is numbering hereby of declared law to of be a an general emergency and 45 permanent~~
~~measure nature necessary is for complete the and immediate in preservation conformity of with the public Revised~~
~~46 Code. peace, health, and safety.~~

~~The Director, reason Legislative for Service such Commission. necessity is to 47 enable taxpayers to avoid~~
~~making miscellaneous adjustments on 48 their 2024 tax returns that increase costs of compliance.~~

~~49 Filed Therefore, in this the act office shall of go the into Secretary immediate of effect. State at Columbus,~~
~~Ohio, on the _____ day of _____, A.~~

~~50 D.~~

~~20 _____.~~

~~Secretary of State.~~

~~File No.~~

~~Effective Date~~