Ohio Legislative Service Commission

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Office of Research and Drafting

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H.B. 443
136th General Assembly

Bill Analysis

Version: As Introduced

Primary Sponsors: Reps. D. Thomas and A. Mathews

Zachary P. Bowerman, Attorney

SUMMARY

- Prohibits enforcement of delinquent property tax liens against certain owner-occupied homes.

DETAILED ANALYSIS

Delinquent property tax enforcement

Under continuing law, property taxes are imposed as a lien of the state against property until they are paid.[1] If the taxes are not paid when they are due, they become delinquent and local officials may enforce the state's lien by taking action that may ultimately result in the property's foreclosure. There are several enforcement mechanisms available, including a direct foreclosure action initiated by the county treasurer or prosecuting attorney and a mechanism by which the county treasurer may sell the state's lien to a third party, who may then initiate foreclosure proceedings. This latter process is often referred to as a "tax certificate sale."[2]

The bill prohibits a county treasurer or prosecutor from enforcing a lien for delinquent taxes against the owner-occupied homes, or "homesteads," of certain qualifying individuals, either by initiating a foreclosure action or through a tax certificate sale. To qualify for this safe harbor, all of the following must apply:

- The homeowner must be either 65 years of age or older or at least 60 years old and the surviving spouse of an individual under whom the homestead previously qualified.
- The homestead must have a true value, i.e., fair market value, of less of than $750,000.

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[1] R.C. 323.11, not in the bill.

[2] For more information on delinquent property tax enforcement, see the LSC Delinquent Property Tax Collection (PDF) Members Brief, which is available on LSC's website: lsc.ohio.gov/Publications.

- The owner must have made some payment in the preceding month towards the delinquent taxes, penalties, interest, or special assessments.

The bill's prohibition applies to both delinquent real property and manufactured home taxes.[3]

HISTORY

Action	Date
Introduced	09-15-25

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[3] R.C. 323.25, 4503.06, 5721.01, 5721.18, and 5721.31.