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OHIO LEGISLATIVE SERVICE COMMISSION

Office of Research
and Drafting

Legislative Budget
Office

H.B. 547
135th General Assembly

Bill Analysis

Version: As Introduced

Primary Sponsors: Reps. Wiggam and Gross

Andrew Little, Attorney

SUMMARY

- Prohibits the Ohio Housing Finance Agency from awarding a state low-income housing tax credit to a housing project unless the project owner takes certain actions to limit tenancy in the project to individuals who are legally present in the United States.

DETAILED ANALYSIS

Continuing law authorizes the Ohio Housing Finance Agency (OHFA) to allocate federal and state tax credits to residential developers who agree to reserve units for low-income tenants. The state credit is awarded to projects that have received an allocation of the federal credit, generally in an amount that assures a project's financial feasibility.¹

The bill prohibits OHFA from awarding a state low-income housing tax credit to any housing project unless the project owner takes certain actions to limit rental of the completed project to individuals who are legally present in the United States. Specifically, project owners must:

- Prohibit any part of the project from being leased to a person who is unlawfully present in the United States;
- Require every prospective tenant to present proof of legal presence in the United States by providing one of the following documents:
 - An original or certified copy of a birth certificate;
 - A current and valid United States passport or passport card;
 - A consular report of birth abroad from the U.S. State Department;

¹ R.C. 175.16, not in the bill.

- A certificate of naturalization or citizenship from the U.S. Department of Homeland Security;
- A document issued by U.S. Citizenship and Immigration Services showing the person's dates of the tenant's legal presence;
- A valid and current driver's license or state-issued identification card.
- Maintain a copy of each document used to verify legal presence until the tenant's tenancy ends and allow access to the Ohio Attorney General.

OHFA must obtain a written agreement to comply with the bill's requirement from each project owner that applies for a tax credit before awarding a credit. OHFA must also revoke an awarded credit if the project does not comply with the bill's requirements, and the Attorney General is authorized to investigate violations of those requirements.²

HISTORY

Action	Date
Introduced	05-15-24

ANHB0547IN-135/ts

² R.C. 175.061.