



Ohio Legislative Service Commission

Bill Analysis

Mackenzie Damon

S.B. 305

131st General Assembly
(As Introduced)

Sens. Williams, Tavares

BILL SUMMARY

- Prohibits the sale of a tax certificate for tax-delinquent property that is the primary residence of a person 65 years of age or older.

CONTENT AND OPERATION

Prohibition on tax certificate sales for certain delinquent property

The bill prohibits the sale of tax certificates for tax-delinquent property that is (a) owned by a person aged 65 or older and (b) is the primary residence of that owner.

Under continuing law, in lieu of bringing a foreclosure action against a tax-delinquent property, county treasurers may sell a property tax "certificate" for the property. The certificate essentially transfers a taxing authority's lien for delinquent taxes to a private entity. Through the sale of such certificates, taxing authorities may recover unpaid taxes before ordinary tax foreclosure proceedings would otherwise conclude. The private entity that purchases the certificate may initiate foreclosure proceedings itself or request the county treasurer to initiate proceedings on the entity's behalf.

Under current law, a county treasurer may select any parcel on the county's delinquent land list and offer to sell a tax certificate with respect to that parcel, unless one of the following three conditions exist:

- (1) The parcel has been redeemed since being placed on the delinquent land list;
- (2) The parcel is subject to a delinquent tax contract to pay the tax debt in installments;

(3) The parcel is included in a bankruptcy proceeding filed by the property owner.

The bill adds a fourth condition under which a delinquent parcel may not be selected for a property tax certificate sale—that the parcel includes the primary residence of a person aged 65 years or older.¹

HISTORY

ACTION	DATE
Introduced	04-04-16

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¹ R.C. 5721.06, 5721.31, and 5721.34.

