

As Introduced

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H. B. No. 666

Representative Ramos

Cosponsors: Representatives Patterson, West, Antonio, Howse

A BILL

To amend sections 5747.08, 5747.20, 5747.21, and 1
5747.98 and to enact section 5747.82 of the 2
Revised Code to authorize a refundable income 3
tax credit for the amount of undergraduate 4
higher education expenses paid by or on behalf 5
of a student to attend a public Ohio institution 6
of higher education. 7

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

Section 1. That sections 5747.08, 5747.20, 5747.21, and 8
5747.98 be amended and section 5747.82 of the Revised Code be 9
enacted to read as follows: 10

Sec. 5747.08. An annual return with respect to the tax 11
imposed by section 5747.02 of the Revised Code and each tax 12
imposed under Chapter 5748. of the Revised Code shall be made by 13
every taxpayer for any taxable year for which the taxpayer is 14
liable for the tax imposed by that section or under that 15
chapter, unless the total credits allowed under division (E) of 16
section 5747.05 and divisions (F) and (G) of section 5747.055 of 17
the Revised Code for the year are equal to or exceed the tax 18

imposed by section 5747.02 of the Revised Code, in which case no 19
return shall be required unless the taxpayer is liable for a tax 20
imposed pursuant to Chapter 5748. of the Revised Code. 21

(A) If an individual is deceased, any return or notice 22
required of that individual under this chapter shall be made and 23
filed by that decedent's executor, administrator, or other 24
person charged with the property of that decedent. 25

(B) If an individual is unable to make a return or notice 26
required by this chapter, the return or notice required of that 27
individual shall be made and filed by the individual's duly 28
authorized agent, guardian, conservator, fiduciary, or other 29
person charged with the care of the person or property of that 30
individual. 31

(C) Returns or notices required of an estate or a trust 32
shall be made and filed by the fiduciary of the estate or trust. 33

(D) (1) (a) Except as otherwise provided in division (D) (1) 34
(b) of this section, any pass-through entity may file a single 35
return on behalf of one or more of the entity's investors other 36
than an investor that is a person subject to the tax imposed 37
under section 5733.06 of the Revised Code. The single return 38
shall set forth the name, address, and social security number or 39
other identifying number of each of those pass-through entity 40
investors and shall indicate the distributive share of each of 41
those pass-through entity investor's income taxable in this 42
state in accordance with sections 5747.20 to 5747.231 of the 43
Revised Code. Such pass-through entity investors for whom the 44
pass-through entity elects to file a single return are not 45
entitled to the exemption or credit provided for by sections 46
5747.02 and 5747.022 of the Revised Code; shall calculate the 47
tax before business credits at the highest rate of tax set forth 48

in section 5747.02 of the Revised Code for the taxable year for 49
which the return is filed; and are entitled to only their 50
distributive share of the business credits as defined in 51
division (D) (2) of this section. A single check drawn by the 52
pass-through entity shall accompany the return in full payment 53
of the tax due, as shown on the single return, for such 54
investors, other than investors who are persons subject to the 55
tax imposed under section 5733.06 of the Revised Code. 56

(b) (i) A pass-through entity shall not include in such a 57
single return any investor that is a trust to the extent that 58
any direct or indirect current, future, or contingent 59
beneficiary of the trust is a person subject to the tax imposed 60
under section 5733.06 of the Revised Code. 61

(ii) A pass-through entity shall not include in such a 62
single return any investor that is itself a pass-through entity 63
to the extent that any direct or indirect investor in the second 64
pass-through entity is a person subject to the tax imposed under 65
section 5733.06 of the Revised Code. 66

(c) Nothing in division (D) of this section precludes the 67
tax commissioner from requiring such investors to file the 68
return and make the payment of taxes and related interest, 69
penalty, and interest penalty required by this section or 70
section 5747.02, 5747.09, or 5747.15 of the Revised Code. 71
Nothing in division (D) of this section precludes such an 72
investor from filing the annual return under this section, 73
utilizing the refundable credit equal to the investor's 74
proportionate share of the tax paid by the pass-through entity 75
on behalf of the investor under division (I) of this section, 76
and making the payment of taxes imposed under section 5747.02 of 77
the Revised Code. Nothing in division (D) of this section shall 78

be construed to provide to such an investor or pass-through 79
entity any additional deduction or credit, other than the credit 80
provided by division (I) of this section, solely on account of 81
the entity's filing a return in accordance with this section. 82
Such a pass-through entity also shall make the filing and 83
payment of estimated taxes on behalf of the pass-through entity 84
investors other than an investor that is a person subject to the 85
tax imposed under section 5733.06 of the Revised Code. 86

(2) For the purposes of this section, "business credits" 87
means the credits listed in section 5747.98 of the Revised Code 88
excluding the following credits: 89

(a) The retirement income credit under division (B) of 90
section 5747.055 of the Revised Code; 91

(b) The senior citizen credit under division (F) of 92
section 5747.055 of the Revised Code; 93

(c) The lump sum distribution credit under division (G) of 94
section 5747.055 of the Revised Code; 95

(d) The dependent care credit under section 5747.054 of 96
the Revised Code; 97

(e) The lump sum retirement income credit under division 98
(C) of section 5747.055 of the Revised Code; 99

(f) The lump sum retirement income credit under division 100
(D) of section 5747.055 of the Revised Code; 101

(g) The lump sum retirement income credit under division 102
(E) of section 5747.055 of the Revised Code; 103

(h) The credit for displaced workers who pay for job 104
training under section 5747.27 of the Revised Code; 105

(i) The twenty-dollar personal exemption credit under section 5747.022 of the Revised Code;	106 107
(j) The joint filing credit under division (E) of section 5747.05 of the Revised Code;	108 109
(k) The nonresident credit under division (A) of section 5747.05 of the Revised Code;	110 111
(l) The credit for a resident's out-of-state income under division (B) of section 5747.05 of the Revised Code;	112 113
(m) The low-income credit under section 5747.056 of the Revised Code;	114 115
(n) The earned income tax credit under section 5747.71 of the Revised Code;	116 117
<u>(o) The higher education tax credit under section 5747.82 of the Revised Code.</u>	118 119
(3) The election provided for under division (D) of this section applies only to the taxable year for which the election is made by the pass-through entity. Unless the tax commissioner provides otherwise, this election, once made, is binding and irrevocable for the taxable year for which the election is made. Nothing in this division shall be construed to provide for any deduction or credit that would not be allowable if a nonresident pass-through entity investor were to file an annual return.	120 121 122 123 124 125 126 127
(4) If a pass-through entity makes the election provided for under division (D) of this section, the pass-through entity shall be liable for any additional taxes, interest, interest penalty, or penalties imposed by this chapter if the tax commissioner finds that the single return does not reflect the correct tax due by the pass-through entity investors covered by	128 129 130 131 132 133

that return. Nothing in this division shall be construed to 134
limit or alter the liability, if any, imposed on pass-through 135
entity investors for unpaid or underpaid taxes, interest, 136
interest penalty, or penalties as a result of the pass-through 137
entity's making the election provided for under division (D) of 138
this section. For the purposes of division (D) of this section, 139
"correct tax due" means the tax that would have been paid by the 140
pass-through entity had the single return been filed in a manner 141
reflecting the commissioner's findings. Nothing in division (D) 142
of this section shall be construed to make or hold a pass- 143
through entity liable for tax attributable to a pass-through 144
entity investor's income from a source other than the pass- 145
through entity electing to file the single return. 146

(E) If a husband and wife file a joint federal income tax 147
return for a taxable year, they shall file a joint return under 148
this section for that taxable year, and their liabilities are 149
joint and several, but, if the federal income tax liability of 150
either spouse is determined on a separate federal income tax 151
return, they shall file separate returns under this section. 152

If either spouse is not required to file a federal income 153
tax return and either or both are required to file a return 154
pursuant to this chapter, they may elect to file separate or 155
joint returns, and, pursuant to that election, their liabilities 156
are separate or joint and several. If a husband and wife file 157
separate returns pursuant to this chapter, each must claim the 158
taxpayer's own exemption, but not both, as authorized under 159
section 5747.02 of the Revised Code on the taxpayer's own 160
return. 161

(F) Each return or notice required to be filed under this 162
section shall contain the signature of the taxpayer or the 163

taxpayer's duly authorized agent and of the person who prepared 164
the return for the taxpayer, and shall include the taxpayer's 165
social security number. Each return shall be verified by a 166
declaration under the penalties of perjury. The tax commissioner 167
shall prescribe the form that the signature and declaration 168
shall take. 169

(G) Each return or notice required to be filed under this 170
section shall be made and filed as required by section 5747.04 171
of the Revised Code, on or before the fifteenth day of April of 172
each year, on forms that the tax commissioner shall prescribe, 173
together with remittance made payable to the treasurer of state 174
in the combined amount of the state and all school district 175
income taxes shown to be due on the form. 176

Upon good cause shown, the commissioner may extend the 177
period for filing any notice or return required to be filed 178
under this section and may adopt rules relating to extensions. 179
If the extension results in an extension of time for the payment 180
of any state or school district income tax liability with 181
respect to which the return is filed, the taxpayer shall pay at 182
the time the tax liability is paid an amount of interest 183
computed at the rate per annum prescribed by section 5703.47 of 184
the Revised Code on that liability from the time that payment is 185
due without extension to the time of actual payment. Except as 186
provided in section 5747.132 of the Revised Code, in addition to 187
all other interest charges and penalties, all taxes imposed 188
under this chapter or Chapter 5748. of the Revised Code and 189
remaining unpaid after they become due, except combined amounts 190
due of one dollar or less, bear interest at the rate per annum 191
prescribed by section 5703.47 of the Revised Code until paid or 192
until the day an assessment is issued under section 5747.13 of 193
the Revised Code, whichever occurs first. 194

If the commissioner considers it necessary in order to 195
ensure the payment of the tax imposed by section 5747.02 of the 196
Revised Code or any tax imposed under Chapter 5748. of the 197
Revised Code, the commissioner may require returns and payments 198
to be made otherwise than as provided in this section. 199

To the extent that any provision in this division 200
conflicts with any provision in section 5747.026 of the Revised 201
Code, the provision in that section prevails. 202

(H) The amounts withheld by an employer pursuant to 203
section 5747.06 of the Revised Code, a casino operator pursuant 204
to section 5747.063 of the Revised Code, or a lottery sales 205
agent pursuant to section 5747.064 of the Revised Code shall be 206
allowed to the recipient of the compensation casino winnings, or 207
lottery prize award as credits against payment of the 208
appropriate taxes imposed on the recipient by section 5747.02 209
and under Chapter 5748. of the Revised Code. 210

(I) If a pass-through entity elects to file a single 211
return under division (D) of this section and if any investor is 212
required to file the annual return and make the payment of taxes 213
required by this chapter on account of the investor's other 214
income that is not included in a single return filed by a pass- 215
through entity or any other investor elects to file the annual 216
return, the investor is entitled to a refundable credit equal to 217
the investor's proportionate share of the tax paid by the pass- 218
through entity on behalf of the investor. The investor shall 219
claim the credit for the investor's taxable year in which or 220
with which ends the taxable year of the pass-through entity. 221
Nothing in this chapter shall be construed to allow any credit 222
provided in this chapter to be claimed more than once. For the 223
purpose of computing any interest, penalty, or interest penalty, 224

the investor shall be deemed to have paid the refundable credit 225
provided by this division on the day that the pass-through 226
entity paid the estimated tax or the tax giving rise to the 227
credit. 228

(J) The tax commissioner shall ensure that each return 229
required to be filed under this section includes a box that the 230
taxpayer may check to authorize a paid tax preparer who prepared 231
the return to communicate with the department of taxation about 232
matters pertaining to the return. The return or instructions 233
accompanying the return shall indicate that by checking the box 234
the taxpayer authorizes the department of taxation to contact 235
the preparer concerning questions that arise during the 236
processing of the return and authorizes the preparer only to 237
provide the department with information that is missing from the 238
return, to contact the department for information about the 239
processing of the return or the status of the taxpayer's refund 240
or payments, and to respond to notices about mathematical 241
errors, offsets, or return preparation that the taxpayer has 242
received from the department and has shown to the preparer. 243

(K) The tax commissioner shall permit individual taxpayers 244
to instruct the department of taxation to cause any refund of 245
overpaid taxes to be deposited directly into a checking account, 246
savings account, or an individual retirement account or 247
individual retirement annuity, or preexisting college savings 248
plan or program account offered by the Ohio tuition trust 249
authority under Chapter 3334. of the Revised Code, as designated 250
by the taxpayer, when the taxpayer files the annual return 251
required by this section electronically. 252

(L) The tax commissioner may adopt rules to administer 253
this section. 254

Sec. 5747.20. This section applies solely for the purposes 255
of computing the credit allowed under division (A) of section 256
5747.05 of the Revised Code ~~and, computing income taxable in~~ 257
this state under division (D) of section 5747.08 of the Revised 258
Code, and determining whether a taxpayer may claim the credit 259
authorized under section 5747.82 of the Revised Code. 260

All items of nonbusiness income or deduction shall be 261
allocated in this state as follows: 262

(A) All items of nonbusiness income or deduction taken 263
into account in the computation of adjusted gross income for the 264
taxable year by a resident shall be allocated to this state. 265

(B) All items of nonbusiness income or deduction taken 266
into account in the computation of adjusted gross income for the 267
taxable year by a nonresident shall be allocated to this state 268
as follows: 269

(1) All items of compensation paid to an individual for 270
personal services performed in this state who was a nonresident 271
at the time of payment and all items of deduction directly 272
allocated thereto shall be allocated to this state. 273

(2) All gains or losses from the sale of real property, 274
tangible personal property, or intangible property shall be 275
allocated as follows: 276

(a) Capital gains or losses from the sale or other 277
transfer of real property are allocable to this state if the 278
property is located physically in this state. 279

(b) Capital gains or losses from the sale or other 280
transfer of tangible personal property are allocable to this 281
state if, at the time of such sale or other transfer, the 282
property had its physical location in this state. 283

(c) Capital gains or losses from the sale or other transfer of intangible personal property are allocable to this state if the taxpayer's domicile was in this state at the time of such sale or other transfer.

(3) All rents and royalties of real or tangible personal property shall be allocated to this state as follows:

(a) Rents and royalties derived from real property are allocable to this state if the property is physically located in this state.

(b) Rents and royalties derived from tangible personal property are allocable to this state to the extent that such property is utilized in this state.

The extent of utilization of tangible personal property in a state is determined by multiplying the rents or royalties derived from such property by a fraction, the numerator of which is the number of days of physical location of the property in this state during the rental or royalty period in the taxable year and the denominator of which is the number of days of physical location of the property everywhere during all rental or royalty periods in the taxable year. If the physical location of the property during the rental or royalty period is unknown or unascertainable by the nonresident, tangible personal property is utilized in the state in which the property was located at the time the rental or royalty payor obtained possession.

(4) All patent and copyright royalties shall be allocated to this state to the extent the patent or copyright was utilized by the payor in this state.

A patent is utilized in a state to the extent that it is

employed in production, fabrication, manufacturing, or other 313
processing in the state, or to the extent that a patented 314
product is produced in the state. If the basis of receipts from 315
patent royalties does not permit allocation to states or if the 316
accounting procedures do not reflect states of utilization, the 317
patent is utilized in this state if the taxpayer's domicile was 318
in this state at the time such royalties were paid or accrued. 319

A copyright is utilized in a state to the extent that 320
printing or other publication originates in the state. If the 321
basis of receipts from copyright royalties does not permit 322
allocation to states or if the accounting procedures do not 323
reflect states of utilization, the copyright is utilized in this 324
state if the taxpayer's domicile was in this state at the time 325
such royalties were paid or accrued. 326

(5) (a) All lottery prize awards paid by the state lottery 327
commission pursuant to Chapter 3770. of the Revised Code shall 328
be allocated to this state. 329

(b) All earnings, profit, income, and gain from the sale, 330
exchange, or other disposition of lottery prize awards paid or 331
to be paid to any person by the state lottery commission 332
pursuant to Chapter 3770. of the Revised Code shall be allocated 333
to this state. 334

(c) All earnings, profit, income, and gain from the direct 335
or indirect ownership of lottery prize awards paid or to be paid 336
to any person by the state lottery commission pursuant to 337
Chapter 3770. of the Revised Code shall be allocated to this 338
state. 339

(d) All earnings, profit, income, and gain from the direct 340
or indirect interest in any right in or to any lottery prize 341

awards paid or to be paid to any person by the state lottery 342
commission pursuant to Chapter 3770. of the Revised Code shall 343
be allocated to this state. 344

(6) Any item of income or deduction which has been taken 345
into account in the computation of adjusted gross income for the 346
taxable year by a nonresident and which is not otherwise 347
specifically allocated or apportioned pursuant to sections 348
5747.20 to 5747.23 of the Revised Code, including, without 349
limitation, interest, dividends and distributions, items of 350
income taken into account under the provisions of sections 401 351
to 425 of the Internal Revenue Code, and benefit payments 352
received by a beneficiary of a supplemental unemployment trust 353
which is referred to in section 501(c)(17) of the Internal 354
Revenue Code, shall not be allocated to this state unless the 355
taxpayer's domicile was in this state at the time such income 356
was paid or accrued. 357

(7) All casino gaming winnings paid by any person licensed 358
by the Ohio casino control commission shall be allocated to the 359
state. 360

(C) If an individual is a resident for part of the taxable 361
year and a nonresident for the remainder of the taxable year, 362
all items of nonbusiness income or deduction shall be allocated 363
under division (A) of this section for the part of the taxable 364
year that the individual is a resident and under division (B) of 365
this section for the part of the taxable year that the 366
individual is a nonresident. 367

Sec. 5747.21. (A) This section applies solely for the 368
purposes of computing the credit allowed under division (A) of 369
section 5747.05 of the Revised Code ~~and~~, computing income 370
taxable in this state under division (D) of section 5747.08 of 371

the Revised Code, and determining whether a taxpayer may claim 372
the credit authorized under section 5747.82 of the Revised Code. 373

(B) Except as otherwise provided under section 5747.212 of 374
the Revised Code, all items of business income and business 375
deduction shall be apportioned to this state by multiplying 376
business income by the fraction calculated under division (B) (2) 377
of section 5733.05 and section 5733.057 of the Revised Code as 378
if the taxpayer's business were a corporation subject to the tax 379
imposed by section 5733.06 of the Revised Code. 380

(C) If the allocation and apportionment provisions of 381
sections 5747.20 to 5747.23 of the Revised Code or of any rule 382
adopted by the tax commissioner, do not fairly represent the 383
extent of business activity in this state of a taxpayer or pass- 384
through entity, the taxpayer or pass-through entity may request, 385
which request must be in writing accompanying a timely filed 386
return or timely filed amended return, or the tax commissioner 387
may require, in respect of all or any part of the business 388
activity, if reasonable, any one or more of the following: 389

(1) Separate accounting; 390

(2) The exclusion of one or more factors; 391

(3) The inclusion of one or more additional factors which 392
will fairly represent the business activity in this state; 393

(4) The employment of any other method to effectuate an 394
equitable allocation and apportionment of such business in this 395
state. An alternative method will be effective only with 396
approval of the tax commissioner. 397

The tax commissioner may adopt rules in the manner 398
provided by sections 5703.14 and 5747.18 of the Revised Code 399
providing for alternative methods of calculating business income 400

and nonbusiness income applicable to all taxpayers and pass- 401
through entities, to classes of taxpayers and pass-through 402
entities, or only to taxpayers and pass-through entities within 403
a certain industry. 404

Sec. 5747.82. (A) As used in this section: 405

(1) "Student's credit basis" means a qualifying student's 406
cost of attendance at the eligible Ohio educational institution 407
for the award year that ends in the taxable year, less the 408
following amounts: 409

(a) The amount paid on behalf of the student to that 410
institution in the form of grants or scholarships during that 411
award year; 412

(b) The amount of any federal work-study award earned by 413
the student during that award year; 414

(c) Fifty per cent of the sum of the amount of any 415
reduction in federal income tax for the taxable year and 416
preceding taxable year resulting from a federal deduction or 417
credit claimed by the student on the basis of the student's 418
qualified tuition and related expenses for attending that 419
institution; 420

(d) Ten per cent of the student's expected family 421
contribution for that award year; 422

(e) The aggregate amount of educational loan proceeds used 423
to pay the student's qualified education expenses for that award 424
year. 425

(2) "Qualifying student" means a student that files a free 426
application for federal student aid for purposes of attending an 427
eligible Ohio educational institution for an award year during 428

which the student is enrolled in an academic program that, upon 429
completion, results in the award of a qualifying degree from 430
that institution. 431

(3) "Qualified education expenses" means amounts paid by a 432
qualifying student or another person for a purpose described in 433
20 U.S.C. 108711(1) to (13), as applicable to the qualifying 434
student under that section. 435

(4) "Award year" has the same meaning as in 20 U.S.C. 436
1088. 437

(5) "Cost of attendance" has the same meaning as in 20 438
U.S.C. 108711. 439

(6) "Eligible Ohio educational institution" means an 440
institution of higher education as defined in section 3345.12 of 441
the Revised Code. 442

(7) "Qualified tuition and related expenses" has the same 443
meaning as in section 25A of the Internal Revenue Code. 444

(8) "Expected family contribution" means the family 445
contribution determined in the manner prescribed by 20 U.S.C. 446
1087oo, 1087pp, or 1087qq, as applicable. 447

(9) "Free application for federal student aid" means the 448
form described in 20 U.S.C. 1090(a). 449

(10) "Qualifying degree" means an associate or 450
baccalaureate degree awarded by an eligible Ohio educational 451
institution on or after the effective date of the enactment of 452
this section. 453

(B) There is hereby allowed a refundable credit against a 454
taxpayer's aggregate tax liability under section 5747.02 of the 455
Revised Code for an individual that pays qualified education 456

expenses for a qualifying student to attend an eligible 457
educational institution. The credit equals the sum of the 458
following: 459

(1) The student's credit basis for the taxable year 460
multiplied by a fraction, the denominator of which is the 461
aggregate amount of the student's qualified education expenses 462
paid during the award year that ends in the taxable year, 463
excluding the amount of such expenses paid by educational loans 464
for that award year, and the numerator of which is the amount of 465
the expenses described in the denominator paid by the taxpayer 466
during that award year. 467

(2) The amount described in division (A) (1) (e) of this 468
section for the award year that ends in the taxable year 469
multiplied by a fraction, the denominator of which is the 470
aggregate amount of educational loan proceeds used to pay the 471
student's qualified education expenses during that award year 472
and the numerator of which is the amount used to pay the 473
student's qualified education expenses during that award year 474
from educational loans for which the taxpayer has the primary 475
obligation to repay. 476

(C) An amount equal to ten per cent of the amount 477
calculated under division (B) (1) of this section may be claimed 478
for the taxpayer's taxable year that includes the last day of 479
the award year for which that amount is calculated, and ten per 480
cent of that amount may be claimed for each of the nine ensuing 481
taxable years. An amount equal to ten per cent of the amount 482
calculated under division (B) (2) of this section may be claimed 483
for the taxpayer's taxable year that includes the first day that 484
the taxpayer makes a payment for an educational loan described 485
in division (A) (1) (e) of this section that the taxpayer has the 486

primary obligation to repay, and ten per cent of that calculated 487
amount may be claimed for each of the nine ensuing taxable 488
years. The taxpayer shall claim the credit in the order required 489
by section 5747.98 of the Revised Code. Any credit amount in 490
excess of the aggregate amount of tax due under section 5747.02 491
of the Revised Code, after allowing for any other credits 492
preceding the credit in that order, shall be refunded to the 493
taxpayer. 494

(D) A taxpayer may not claim a credit under division (C) 495
of this section for a taxable year for which no portion of the 496
taxpayer's federal adjusted gross income is allocated or 497
apportioned to this state as provided in section 5747.20 or 498
5747.21 of the Revised Code. Nothing in this division prohibits 499
a taxpayer disallowed from claiming a credit under this division 500
for a taxable year from claiming the credit allowed under 501
division (C) of this section for any other taxable year, as 502
authorized under that division. 503

Sec. 5747.98. (A) To provide a uniform procedure for 504
calculating a taxpayer's aggregate tax liability under section 505
5747.02 of the Revised Code, a taxpayer shall claim any credits 506
to which the taxpayer is entitled in the following order: 507

(1) Either the retirement income credit under division (B) 508
of section 5747.055 of the Revised Code or the lump sum 509
retirement income credits under divisions (C), (D), and (E) of 510
that section; 511

(2) Either the senior citizen credit under division (F) of 512
section 5747.055 of the Revised Code or the lump sum 513
distribution credit under division (G) of that section; 514

(3) The dependent care credit under section 5747.054 of 515

the Revised Code;	516
(4) The low-income credit under section 5747.056 of the Revised Code;	517 518
(5) The credit for displaced workers who pay for job training under section 5747.27 of the Revised Code;	519 520
(6) The campaign contribution credit under section 5747.29 of the Revised Code;	521 522
(7) The twenty-dollar personal exemption credit under section 5747.022 of the Revised Code;	523 524
(8) The joint filing credit under division (G) of section 5747.05 of the Revised Code;	525 526
(9) The earned income credit under section 5747.71 of the Revised Code;	527 528
(10) The credit for adoption of a minor child under section 5747.37 of the Revised Code;	529 530
(11) The nonrefundable job retention credit under division (B) of section 5747.058 of the Revised Code;	531 532
(12) The enterprise zone credit under section 5709.66 of the Revised Code;	533 534
(13) The ethanol plant investment credit under section 5747.75 of the Revised Code;	535 536
(14) The credit for purchases of qualifying grape production property under section 5747.28 of the Revised Code;	537 538
(15) The small business investment credit under section 5747.81 of the Revised Code;	539 540
(16) The enterprise zone credits under section 5709.65 of	541

the Revised Code;	542
(17) The research and development credit under section 5747.331 of the Revised Code;	543 544
(18) The credit for rehabilitating a historic building under section 5747.76 of the Revised Code;	545 546
(19) The nonresident credit under division (A) of section 5747.05 of the Revised Code;	547 548
(20) The credit for a resident's out-of-state income under division (B) of section 5747.05 of the Revised Code;	549 550
(21) The refundable motion picture production credit under section 5747.66 of the Revised Code;	551 552
(22) The refundable jobs creation credit or job retention credit under division (A) of section 5747.058 of the Revised Code;	553 554 555
(23) The refundable credit for taxes paid by a qualifying entity granted under section 5747.059 of the Revised Code;	556 557
(24) The refundable credits for taxes paid by a qualifying pass-through entity granted under division (I) of section 5747.08 of the Revised Code;	558 559 560
(25) The refundable credit under section 5747.80 of the Revised Code for losses on loans made to the Ohio venture capital program under sections 150.01 to 150.10 of the Revised Code;	561 562 563 564
(26) The refundable credit for rehabilitating a historic building under section 5747.76 of the Revised Code;	565 566
(27) The refundable credit for financial institution taxes paid by a pass-through entity granted under section 5747.65 of	567 568

the Revised Code;	569
<u>(28) The refundable higher education tax credit under</u>	570
<u>section 5747.82 of the Revised Code.</u>	571
(B) For any credit, except the refundable credits	572
enumerated in this section and the credit granted under division	573
(H) of section 5747.08 of the Revised Code, the amount of the	574
credit for a taxable year shall not exceed the taxpayer's	575
aggregate amount of tax due under section 5747.02 of the Revised	576
Code, after allowing for any other credit that precedes it in	577
the order required under this section. Any excess amount of a	578
particular credit may be carried forward if authorized under the	579
section creating that credit. Nothing in this chapter shall be	580
construed to allow a taxpayer to claim, directly or indirectly,	581
a credit more than once for a taxable year.	582
Section 2. That existing sections 5747.08, 5747.20,	583
5747.21, and 5747.98 of the Revised Code are hereby repealed.	584
Section 3. Pursuant to division (G) of section 5703.95 of	585
the Revised Code, which states that any bill introduced in the	586
House of Representatives or the Senate that proposes to enact or	587
modify one or more tax expenditures should include a statement	588
explaining the objectives of the tax expenditure or its	589
modification and the sponsor's intent in proposing the tax	590
expenditure or its modification:	591
The purpose of the tax credit enacted by this act is to	592
make higher education more affordable for residents of Ohio.	593