

Sales and Use Tax

The Ohio sales and use tax underwent major changes at the end of FY 2003 with the enactment of the state's two-year budget (see **Recent Legislation** at the end of this chapter). The 125th General Assembly passed H.B. 95, the FY 2004-2005 Biennium Budget Bill, on June 26, 2003. This bill temporarily increased the statewide sales and use tax rate to 6.0 percent from 5.0 percent as of July 1, 2003, to remain in effect until June 30, 2005. Another key provision expanded the tax base, effective August 1, 2003, to include a number of additional services. The bill also adopted many of the provisions necessary to bring Ohio into compliance with the multi-state Streamlined Sales and Use Tax Agreement.

The Ohio sales and use tax initially took effect in January 1935. The sales tax rate was 3.0 percent until 1967, when a 4.0 percent rate was adopted. After imposing a temporary 5.0 percent sales tax during the period of January through June 1981, a permanent 5.0 percent rate was adopted in November 1981. The sales and use tax was originally restricted to the sale or rental of tangible personal property, but was later extended to a number of services (see **Exemptions and Exceptions, Number 2**).

In 1967, the General Assembly authorized counties to levy a permissive sales and use tax of 0.5 percent, in addition to the state sales and use tax, for the purpose of providing additional county general revenue. The tax is levied pursuant to a resolution of the county commissioners and is subject to repeal by a majority vote of the county electorate. In January 1982, counties were given the option of levying a full 1.0 percent permissive tax.

In 1986, the General Assembly further authorized counties to levy an additional 0.5 percent sales tax subject to voter approval for one or more of the following purposes: (1) payment of bonds issued for a convention facility; (2) revenue for a transit authority; (3) additional county general revenue; (4) revenue for permanent improvements; and

(5) implementation and operation of a 9-1-1 system. If the additional levy is solely for general revenue, the county commissioners may levy it pursuant to a resolution, but it is subject to repeal by a majority vote of the county electorate.

In July 1987, counties were granted authority to levy the permissive sales and use tax in quarter-percent increments. Then, in 1993, the General Assembly authorized counties to levy the sales tax to provide revenue for the operation and maintenance of a detention facility. Legislation in 1995 authorized the use of the additional county sales tax for construction or renovation of a sports facility, and acquisition of agricultural easements was added in 2001.

As of June 30, 2003, 87 counties in Ohio levied a county permissive sales and use tax. In calendar year 2002, the state collected \$1,101.5 million for county governments.

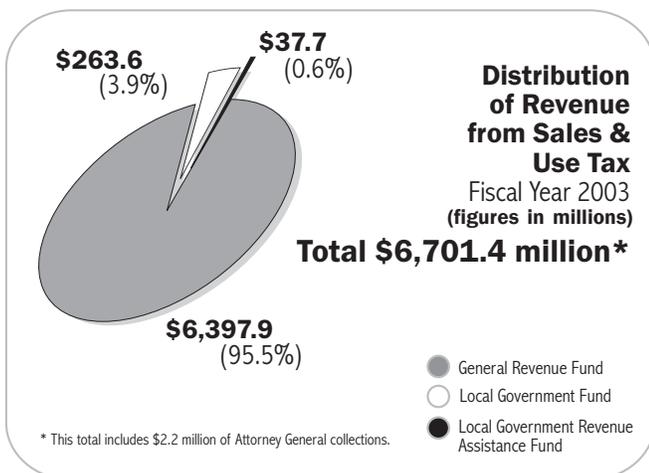
In 1974, the General Assembly authorized transit authorities to levy a permissive sales and use tax to be collected in addition to the state sales and use tax and county permissive sales and use tax for the purposes of providing revenues for public mass transit systems. The tax is levied pursuant to a resolution of the transit authority and subsequent approval by a majority of the voters at a special or general election. The tax can be levied at a rate of up to 1.5 percent in quarter-percent increments. As of June 30, 2003, the Greater Cleveland, Central Ohio, LakeTran, Miami Valley, Stark Area, Summit County Metro, and Portage Area regional transit authorities levied a permissive sales and use tax. In calendar year 2002, the state collected approximately \$266.4 million for the transit authorities.

The state collects the combined state and local tax and returns the local share directly to the counties and transit authorities. The same exemptions and exceptions, credits, and payment dates apply to the permissive taxes as to the state tax.

In 2002, the 124th General Assembly passed S.B. 143 (see **Recent Legislation**), which adopted the Simplified Sales and Use Tax Act. This bill allows Ohio to participate with other states in the Streamlined Sales Tax System. The streamlined system is a multi-state effort to make the states' sales and use tax laws more uniform and to provide simplified registration, reporting and remittance requirements.

The 125th General Assembly passed H.B. 40 in 2003. This bill created advance payment requirements for taxpayers required to remit taxes by Electronic Funds Transfer (EFT).

The sales and use tax is the second largest revenue producer for the state, exceeding \$6.7 billion in FY 2003. Of this amount, 3.9 percent or \$263.6 million is distributed to the Local Government Fund, 0.6 percent



or \$37.7 million to the Local Government Revenue Assistance Fund, and 95.5 percent or \$6.4 billion is distributed to the General Revenue Fund.

TAX BASE (R.C. 5739.01, 5747.01):

The state, county and transit authority sales and use taxes apply to all retail sales of tangible personal property that are not specifically exempt. Retail sales also include the rental of tangible personal property, the rental of hotel rooms by transient guests, and the sales of specified services. Effective August 1, 2003, retail sales also include all transactions by which tangible personal property is or is to be stored, pursuant to H.B. 95, discussed in **Recent Legislation**.

The county and transit authority use taxes apply to purchases made outside of the state and to purchases made from vendors located in an area which does not have the permissive sales and use tax, or levies it at a lower rate, when the property or service is used in an area that levies a permissive sales and use tax.

RATES (R.C. 5739.02, 5739.021, 5739.023, 5739.025, 5739.026, 5739.033, 5741.02, 5741.021, 5741.022, 5741.023):

The state sales and use tax rate was 5.0 percent during FY 2003. But under the provisions of H.B. 95, the tax rate is increased to 6.0 percent for the period July 1, 2003 through June 30, 2005. Counties and transit authorities are authorized to levy additional permissive sales and use taxes at rates of 0.25 percent to 1.5 percent in quarter-percent increments.

The following are the number of jurisdictions (counties) at each tax rate as of October 1, 2003 (FY 2004).

Total Rate	Number of Jurisdictions
8.0%	1
7.5	31
7.25	10
7.0	35
6.75	7
6.5	4*

A bracket system is specified in R.C. 5739.025 for each of the above rates.

* Stark County enacted a permissive tax effective July 1, 2003.

The applicable sales tax rate for most taxable sales is the location of the vendor. Generally, the applicable use tax rate for all taxable sales is based on the location of the purchaser.

The applicable sales or use tax rate for automatic data processing, computer services, electronic information services, telecommunications service, private investigation and security services, lawn care and landscaping services, building maintenance and janitorial services, employment services, employment placement services, exterminating services, and, pursuant to H.B. 95, satellite broadcasting services and snow removal services, is the location of the purchaser.

However, some of the provisions in the above paragraph are scheduled to change effective January 1, 2004 when, under H.B. 95, the sourcing rules of the Streamlined Sales and Use Tax Agreement will be adopted for all sales. These rules adopt a destination-based structure for determining which jurisdiction's tax a vendor or seller is to collect. Over-the-counter sales will be sourced to the location where the consumer takes possession of the item sold. If the product is delivered to the consumer, the sale is sourced to the delivery location. If neither of the above situations apply, the sale is sourced to the location of an address the vendor or seller has for the consumer that is available from the vendor or seller's records or that is obtained during the transaction. Special sourcing rules are also put in place for certain sales of digital goods or software delivered electronically that are concurrently available for use by the consumer in multiple locations, for certain types of direct mail, for telecommunications services, and for leases.

EXEMPTIONS AND EXCEPTIONS (R.C. 5709.25, 5709.50, 5739.01, 5739.011, 5739.02, 5741.02, 6111.31, 6121.16, 6123.041):

- Copyrighted motion picture films unless solely used for advertising;
- Service transactions in which tangible personal property is an inconsequential element for which no separate charge is made except for the following taxable services:
 - Repair costs, installation costs;
 - Washing, cleaning, waxing, polishing, and painting of a motor vehicle;
 - Cleaning of towels, linens, and clothing used in business (**note:** pursuant to H.B. 95, this provision is changed to apply tax to all laundry and dry cleaning services, effective August 1, 2003);
 - Automatic data processing, computer services and electronic information services used in business;
 - Telecommunications service;
 - Lawn care and landscaping;
 - Private investigation and security;
 - Building maintenance and janitorial services;
 - Employment services, employment placement services;
 - Exterminating services;
 - Physical fitness facility services;
 - Recreation and sports club services; and
 - Mobile telecommunications service; (**Note:** pursuant to H.B. 95, the tax applies to the following services effective August 1, 2003):
 - Satellite broadcasting service;
 - Personal care services;
 - Transportation of persons by motor vehicle or aircraft entirely within this state;
 - Motor vehicle towing service; and
 - Snow removal service.
- The value of motor vehicles traded-in on new motor vehicles sold by licensed new motor vehicle dealers;
- Tangible personal property or the benefit of a taxable service to be re-sold in the form received;
- The refundable deposit paid on returnable beverage containers, cartons, and cases; and
- Tangible personal property used or consumed in commercial fishing.
- Direct use exceptions (**note:** pursuant to H.B. 95, these *exceptions*

- become *exemptions* effective July 1, 2003):
- a) Material incorporated as a component part of tangible personal property produced for sale by manufacturing, assembling, processing, or refining;
 - b) Material used or consumed directly in the production of tangible personal property by mining, farming, agriculture, horticulture, floriculture, or used in the production of and exploration for crude oil and natural gas;
 - c) Tangible personal property used directly in rendering a public utility service;
 - d) Tangible personal property used or consumed in the preparation for sale of printed and other reproduced material and magazines distributed as controlled circulation publications; and
 - e) Certain property used in making retail sales including: advertising material or catalogues used or consumed in making retail sales that price and describe property; preliminary materials sold to direct marketing vendors that will be used in printing advertising material; printed matter that offers free merchandise or chances to win sweepstakes prizes and includes advertising material; equipment primarily used to accept orders for direct marketing retail sales; and certain automatic food vending machines.
8. Tangible personal property used primarily in a manufacturing operation to produce a product for sale. The primary use exception includes, but is not necessarily limited to, the following items:
 - a) Production machinery and equipment that act upon the product;
 - b) Handling and transportation equipment (except licensed motor vehicles) used in moving property in or between plants during the production process;
 - c) Property used in producing property that is used or consumed in the production of a final product (use on use);
 - d) Coke, gas, water, steam, and similar substances used in the manufacturing operation;
 - e) Catalysts, solvents, water, acids, oil, and similar consumables that interact with the product and are an integral part of the manufacturing operation; and
 - f) Property that is used to control, physically support, or is otherwise necessary for functioning of machinery and equipment and continuation of the manufacturing operation.
 9. Tangible personal property used or consumed in the surface reclamation of mined land (**note:** pursuant to H.B. 95, this exemption is repealed effective July 1, 2003);
 10. Sales to U.S. government agencies;
 11. Sales to the state or any of its political subdivisions;
 12. Food for human consumption off the premises where sold;
 13. Food sold to students in a dormitory, cafeteria, fraternity, or sorority;
 14. Newspapers;
 15. Magazine subscriptions or magazines distributed as controlled circulation publications;
 16. Motor vehicle fuel subject to the state motor fuel excise tax;
 17. Gas, water, and steam delivered through pipes or conduits by a utility company (**note:** pursuant to H.B. 95 this exemption includes electricity delivered through wires effective July 1, 2003);
 18. Communications services by local telephone and telegraph companies, but not including cable television (**note:** pursuant to H.B. 95, the exemption for sales of local telephone service is repealed effective January 1, 2004);
 19. WATS, 800 numbers, and other selected telecommunications services provided by long distance or local service companies (**note:** pursuant to H.B. 95, the exemptions for WATS, 800 and private communications services are repealed effective July 1, 2003);
 20. Casual sales except for motor vehicles, titled watercraft and outboard motors, snowmobiles, and all-purpose-vehicles;
 21. Sales by churches and nonprofit organizations (excluding motor vehicles) provided that the number of sales does not exceed six days each year;
 22. Transportation of persons or property (**note:** pursuant to H.B. 95, this exemption is amended to exclude transportation of persons specifically taxed as a service effective July 1, 2003);
 23. Sales to churches, nonprofit organizations included under Internal Revenue Code (I.R.C.) 501(c)(3), nonprofit scientific research organizations, and to other nonprofit charitable organizations;
 24. Sales to nonprofit hospitals and to those privately-held homes for the aged and hospital facilities that are financed with public hospital bonds;
 25. Building and construction material sold to contractors for incorporation into real property constructed for federal, state or local governments; for religious and certain other nonprofit charitable institutions; for horticulture and livestock structures; and for other specified organizations and industries;
 26. Ships and rail rolling stock used in interstate or foreign commerce and material used for repair, alteration, or propelling such vessels;
 27. Material, machinery, equipment, and other items used in packaging property to be sold at retail;
 28. Drugs prescribed by a licensed practitioner and dispensed by a registered pharmacist; insulin and injection material used by diabetics; urine and blood testing materials used by diabetics or persons with hypoglycemia; oxygen and oxygen equipment for personal use; hospital beds for personal use; prosthetic devices; ostomy and orthopedic devices; hearing aids; crutches; wheelchairs and wheelchair lifts; and epoetin alfa used in end-stage renal disease (**note:** pursuant to H.B. 95, these provisions are modified to exempt all drugs for a human being dispensed pursuant to a prescription, urine and blood testing materials used by diabetics or persons with hypoglycemia; medical oxygen and medical oxygen equipment for personal use; hospital beds for personal use, epoetin alfa for persons with a medical disease, and prosthetic devices, durable medical equipment or mobility enhancing equipment sold pursuant to a prescription for use by a human being);
 29. Emergency and fire protection vehicles used exclusively by nonprofit organizations in providing emergency and fire protection services for political subdivisions;
 30. Sales to nonprofit community centers and to producers offering presentations in music, dramatics, the arts, and related fields to foster public interest and education;
 31. Motor vehicles sold in Ohio to nonresidents for titling and use outside the state;
 32. Property used in the preparation of eggs for sale;
 33. Sales of property for use in agricultural production;
 34. Property manufactured in Ohio and immediately shipped outside the state for use in retail business, if sold by the manufacturer to the retailer and shipped in vehicles owned by the retailer;
 35. Sales to non-commercial, educational broadcasting stations;
 36. Sales of animals by nonprofit animal shelters and county humane societies;
 37. Items used in preserving, preparing, or serving food, or material

- used in maintaining or cleaning these items in a commercial food service operation;
38. Tangible personal property used in air, noise or water pollution control facilities by holders of pollution control certificates issued by the Tax Commissioner or the Director of the Ohio Environmental Protection Agency;
 39. Bulk water for residential use;
 40. Tangible personal property incorporated into an energy conversion facility, solid waste energy conversion facility, or thermal efficiency improvement facility certified by the Tax Commissioner (**note:** pursuant to H.B. 95, these exemptions were consolidated into one certificate for exempt facilities, effective September 26, 2003);
 41. Sales of equipment used in qualified research and development;
 42. Sales and installation of agricultural land tile and the sale and installation of portable grain bins to farmers;
 43. Fees paid for the inspection of emission control equipment on motor vehicles;
 44. Sales, leases, repairs, and maintenance of motor vehicles used primarily in providing highway transportation for hire;
 45. Sales to state headquarters of veterans' organizations chartered by Congress or recognized by the U.S. Department of Veterans Affairs;
 46. Normally taxable food items sold to persons using food stamps;
 47. Sales of tangible personal property and services used directly in providing a telecommunications service (**note:** pursuant to H.B. 95, this exemption is amended to specifically include sales of tangible personal property and services used directly in providing telecommunications service, mobile telecommunications service, and satellite broadcasting service, effective July 1, 2003);
 48. Investment metal bullion and investment coins;
 49. Trade-ins on purchases of new or used watercraft or outboard motors sold by licensed boat dealers;
 50. Property and labor used to fulfill a warranty or service contract;
 51. Property used to store and handle purchased sales inventory in a warehouse or similar facility, when the inventory is primarily distributed outside Ohio to retail stores of the person who owns or controls the warehouse, to retail stores of an affiliated group of which the owner of the warehouse is a member, or by means of direct marketing;
 52. Certain motor vehicles used in ride-sharing arrangements when the vendor is selling the vehicle pursuant to a contract with the Department of Transportation (**note:** pursuant to H.B. 95, this exemption is repealed effective July 1, 2003);
 53. Sales of computer equipment used for educational purposes made to qualifying certified teachers;
 54. Sales of certain tangible personal property made to qualified motor racing teams;
 55. Twenty-five percent sales tax refund for qualified computer purchases for providers of electronic information services;
 56. Sales of used manufactured and mobile homes; and
 57. Sales of coin-operated car washes;

(**Note:** pursuant to H.B. 95, the following exemptions are added effective July 1, 2003):
 58. The provision of self-service laundry or dry cleaning facilities;
 59. Intrastate transportation of persons by transit bus or ambulance or by a person that holds a Certificate of Public Convenience and Necessity under 49 United States Code (U.S.C.) 41102;
 60. Sales of telecommunications services used directly and primarily to perform the functions of a call center;
 61. Sales of personal property and services used directly and primarily

- in providing taxable intrastate transportation of persons;
62. Repair and replacement parts and repair and maintenance services for aircraft used primarily in a fractional aircraft ownership program; and
63. Tax in excess of \$800 on any aircraft sold as a fractional share aircraft.

DISCOUNT (R.C. 5739.12, 5741.12):

Payment on or before the date a return is required to be filed entitles the vendor to a discount of 0.75 percent of the amount due. (Example: \$5,000 tax due - \$37.50 discount = \$4,962.50 net tax due). (**Note:** pursuant to H.B. 95, the discount rate is increased to 0.9 percent of the amount due for returns required to be filed after July 1, 2003 and before June 30, 2005).

SPECIAL PROVISIONS:

1. Cumulative filing (R.C. 5739.12, Rule 5703-9-09). The Commissioner may require a vendor that operates from multiple locations or has multiple vendors' licenses to report all liabilities on one consolidated return. Vendors who have two or more places of business in Ohio may, upon approval by the Tax Commissioner, file a single monthly consolidated return reporting on one form the information that normally is required to be reported from each location.
2. Pre-arranged agreements (R.C. 5739.05). Vendors, such as fast food outlets, whose business is of a nature that keeping records of which sales are taxable and which are exempt would impose an unreasonable burden, may be authorized by the Tax Commissioner to pay an amount based on a test check conducted to determine the proportion of taxable sales to total sales. Businesses electing this method of payment still collect the tax from customers at the time of purchase.
3. Pre-determined agreements (R.C. 5739.05 and Rule 5703-9-08). Vendors, such as coin-operated vending machine operators, whose business is of a nature that the collection of the tax from consumers would impose an unreasonable burden, may be authorized by the Tax Commissioner to pay the tax at a pre-determined rate based on an analysis of sales and prices.
4. Construction contractors (R.C. 5739.01). Construction contractors are considered to be the consumers of property incorporated into the construction of or improvement to real property and, thus, are responsible for paying the tax on such property.
5. Resort area tax (R.C. 5739.101 – 5739.105). Qualified municipal corporations or townships are authorized to levy a tax at the rate of 0.5 percent, 1.0 percent, or 1.5 percent on gross receipts from general sales or intrastate transportation primarily provided to and from the resort area. Receipts from this tax are for the general revenue of the township or municipality. The tax is administered by the Department of Taxation.
6. Lodging tax (R.C. 5739.09). In addition to the state sales tax, municipal corporations, townships, and counties may levy an excise tax on hotel and motel room rentals at a rate not exceeding 3.0 percent. Total combined local levies cannot exceed 6.0 percent. In certain cases, a portion of the receipts are earmarked for convention centers and visitors bureaus. County convention facility authorities were permitted between June 29, 1988 and December 31, 1988 to

- enact an additional 4.0 percent lodging tax for convention facility or sports center construction. This tax is in addition to the combined maximum 6.0 percent rate for county, township or municipal lodging taxes, thereby allowing a combined local rate of 10.0 percent.
7. Payment by EFT (R.C. 5739.032, 5739.122, 5741.121). Payment of tax returns is required to be made by EFT in cases where a taxpayer's annual liability exceeds \$60,000 per calendar year (**note:** pursuant to H.B. 95, the threshold amount for requiring remittance of tax by EFT is raised to \$75,000 per calendar year). Taxpayers required to use this payment method will be so notified by the Tax Commissioner. Taxpayers with lesser liabilities may request the authorization to remit tax payments via EFT from the Treasurer of State.
8. Accelerated tax payment (R.C. 5739.032, 5739.122, 5741.121). Effective with the April, 2003 filing period, vendors required to remit tax by EFT are required to make advance payments of each month's tax on the 11th, 18th and 25th that month. (**Note:** pursuant to H.B. 95, the frequency of making accelerated payments was reduced from three per month to two per month on the 15th and 25th of the month effective July 1, 2003).

TAXPAYER (R.C. 5739.01, 5739.03, 5739.031, 5739.17, 5741.01):

Any person, retailer, business, organization, etc. making retail sales or making taxable purchases on which the tax has not been paid is required to file a return and remit the tax due.

DISPOSITION OF REVENUE:

1. State Sales and Use Tax (R.C. 5739.21, 5741.03):

The Local Government Fund receives 4.2 percent, the Local Government Revenue Assistance Fund 0.6 percent, and the General Revenue Fund 95.2 percent of sales and use tax collections. (**Note:** H.B. 94, 124th General Assembly, FY 2002-2003 Biennial Budget Bill, temporarily replaced the revenue distribution described above. During each month of the July 2001 – May 2002 period, the Local Government Fund and the Local Government Revenue Assistance Fund received the same amount they each received during the corresponding month of the July 2000 – May 2001 period. In June 2002 and June 2003, the funds received the same amount they received in June 2000).

2. County Permissive Sales and Use Tax (R.C. 5739.21, 5743.03):

- One percent credited to the Local Sales Tax Administrative Fund for the use of the Tax Commissioner in defraying costs of administration;
- Remainder to the county general fund.

3. County Additional Permissive Sales and Use Tax (R.C. 5739.21, 5741.03):

- One percent credited to the Local Sales Tax Administrative Fund for the use of the Tax Commissioner in defraying costs of administration;
- Remainder to the special purpose fund for which the additional tax is levied.

4. Transit Authority Sales and Use Tax (R.C. 306.31, 5739.21, 5741.03):

- One percent credited to the Local Sales Tax Administrative Fund

for the use of the Tax Commissioner in defraying the costs of administration;

- Remainder to the general revenue of the transit authority for the purpose of acquiring, constructing, operating, maintaining, replacing, improving, and extending transit facilities.

5. Resort Area Tax (R.C. 5739.102):

- One percent credited to the state General Revenue Fund for the cost of administering the tax;
- Remainder to the appropriate taxing entity.

OHIO REVISED CODE CITATIONS:

Chapters 306, 307, 351, 5709, 5739, 5741, and 6111.

RECENT LEGISLATION:

S.B. 37, 125th General Assembly (effective October 21, 2003).

R.C. 5739.01, 5739.02 – Clarifies the application of sales tax to purchases of packaging material by providers of highway transportation for hire.

H.B. 95, 125th General Assembly (FY 2004-2005 Biennial Budget Bill, all provisions effective July 1, 2003 unless otherwise noted).

R.C. 307.676 – Provides that a county with a population of one million or more may, by resolution adopted on or before August 30, 2004, levy a tax on sales of food and beverages for consumption on the premises where sold to provide money for constructing, improving, expanding, equipping, financing or operating a convention center.

R.C. 5739.02, 5739.025, and 5741.02 – Sales tax increases to 6.0 percent for the period July 1, 2003 through June 30, 2005.

R.C. 5739.12 – Increases the vendor discount to nine-tenths of 1 percent for returns filed between July 1, 2003 and June 30, 2005.

R.C. 5739.01 – On and after August 1, 2003, levies sales and use tax on storage, laundry and dry cleaning services, satellite broadcasting services, personal care services, the intrastate transportation of persons by motor vehicle or aircraft, motor vehicle towing service and snow removal service.

R.C. 5739.01 – On and after January 1, 2004, levies sales tax on telecommunications services provided by a local exchange carrier.

R.C. 5739.01, 5739.02 – Removes sales tax exception for WATS, 800 and private communications services.

R.C. 5739.01 – Revises the definitions of "price" and "lease and rental" to conform to definitions in the Streamlined Sales and Use Tax Agreement. Adopts other Streamlined Agreement definitions such as: tangible personal property, sales price, drug, durable medical equipment, mobility enhancing equipment, and prescription. Revises the definition of "food" to conform with the Streamlined Sales and Use Tax Agreement effective July 1, 2004.

R.C. 5739.02 – Creates new exemptions for telecommunications services used primarily to perform the functions of a call center, for

DESCRIPTION OF TAXPAYERS (R.C. 5739.17):

Taxpayer	Cost of License	Description
Vendor	\$25	Each person or business establishment located in Ohio making retail sales.
Service vendor	\$25	Person or business that provides automatic data processing, computer services, and electronic information services; telecommunications services; mobile telecommunications services; lawn care and landscaping services; private investigation and security services; building maintenance and janitorial services; employment and employment placement services, and exterminating services. (Note: pursuant to H.B. 95, also satellite broadcasting service and snow removal service effective August 1, 2003). The license is valid throughout the state.
Transient vendor	\$25	Retailer who makes sales in any county in which they have no fixed place of business. The license is valid statewide.
Delivery vendor	\$25	Retailer who maintains no store, showroom, or similar place of business where merchandise is offered for sale, or who has no location where merchandise displayed in catalogues may be selected or picked up by customers.
Seller	No fee	Retailer located outside of Ohio who makes retail sales of property or services for storage, use, or consumption in Ohio.
Direct pay permit holder	No fee	Consumers authorized by the Tax Commissioner to remit tax directly to the state instead of to the vendor. This authority can only be issued upon application if the Commissioner determines that granting the authority would improve compliance and increase the efficiency of the administration of the tax.
Clerks of Court	No fee	Dealers remit taxes collected on sales of motor vehicles, watercraft, and outboard motors to county Clerks of Court when a title is issued. Clerks of Court also collect the tax on casual sales of motor vehicles, and sales of watercraft and outboard motors required to be titled. Clerks of Court remit these receipts to the state.
Division of Liquor Control	No fee	Collects and remits sales tax paid on state-controlled spiritous liquor sold in state-contracted liquor agencies.
Consumers use tax account	No fee	Purchasers who have not paid the tax to a vendor or seller (in most cases for out-of-state transactions) make payments directly to the state.

equipment used in providing taxable intrastate transportation of persons, for electricity delivered through wires, and for parts and labor used for the repair, modification and maintenance of aircraft used primarily in a fractional ownership program. Revises the exemption for drugs and medical equipment to incorporate Streamlined Agreement definitions. Repeals exemptions for equipment used in reclamation of mined land and for motor vehicles used exclusively in vanpool ridesharing agreements.

R.C. 5739.021, 5739.023, and 5739.026 – Effective January 1, 2004, revises the time period between adoption of a county or transit authority tax rate change and the effective date of the tax.

R.C. 5739.025 – Provides that the maximum sales tax applicable to the sale of an aircraft used primarily in a fractional ownership program is \$800.

R.C. 5739.032, 5739.122, and 541.121 – Increases threshold

amount of annual tax liability to require a vendor to remit tax by EFT from \$60,000 to \$75,000. Reduces the number of advance payments such taxpayers must make to two: one on the 15th of the month and one on the 25th of the month.

R.C. 5739.033 – Postpones the effective date of adopting the Streamlined Sales Tax Agreement's sourcing provisions until January 1, 2004. Adopts language regarding the sourcing of direct mail materials and leases and rentals.

R.C. 5739.034 – Adopts the Streamlined Sales Tax Agreement's sourcing rules for telecommunications transactions.

R.C. 5739.09 – Allows county commissioners to increase lodging tax or to designate a portion of previously enacted lodging tax to pay the expenses of a port authority military-use facility. Allows counties with a population of one million or more to extend an existing lodging tax levy

or, by resolution adopted on or before August 1, 2004, to increase the rate of a lodging tax to provide money for constructing, improving, expanding, equipping, financing, or operating a convention center.

R.C. 5739.121 — Revises the bad debt deduction to conform to the Streamlined Sales and Use Tax Agreement.

R.C. 5739.21 — Clarifies that the monthly amounts of permissive sales tax returned to counties and transit authorities are reduced by the amount of refunds of the same tax paid during the same month. Provides for the distribution of permissive tax money when the Tax Commissioner does not have sufficient information to associate the tax money with a particular jurisdiction.

R.C. 5739.33 — Clarifies that responsible officers and employees of direct payment permit holders are personally responsible for the failure of the direct payment permit holder to file returns or remit taxes due.

R.C. 5741.25 — Imposes personal responsibility on responsible officers or employees of out-of-state sellers for failure to file returns or remit taxes due.

H.B. 40, 125th General Assembly (effective March 7, 2003).

R.C. 5739.032, 5739.122, and 5741.121 — Provides that taxpayers required to make payments of sales or use tax by EFT must make advance payments of tax on the 11th, 18th and 25th of each month. This was subsequently revised by H.B. 95 to require twice-monthly payments (see bottom of page 146). This bill also provides a temporary increase in the discount allowed to vendors and out-of-state sellers for returns due and timely filed in May and June 2003 to one and one-tenth percent.

RECENT SIGNIFICANT COURT DECISIONS:

***SQS Foodstores, Inc. v. Tracy* (Sept 18, 2002) Mahoning Cty. Ct. Apps. Case No. 00 CA 124, 2002-Ohio-5015.**

The taxpayer held the liquor licenses and vendor's licenses for four convenience stores. The taxpayer was in bankruptcy and the stores were operated by lessees. An audit of the stores showed substantial underreporting of tax liability. The taxpayer asserted that, since the operators provide the tax figures that were reported to the state, any failure to report and remit the correct tax was beyond its control. The Court of Appeals affirmed the decision of the Board of Tax Appeals upholding the assessment. The taxpayer remained the vendor; the lessees operated the stores, under an agreement with the taxpayer. The state is not a party to those leases and they do not relieve the taxpayer of the responsibility for the tax or penalty. The court also affirmed the Board's rejection of the taxpayer's claim that the markups used in the audit were higher than those actually used by the taxpayer on the basis of insufficient evidence.

***Kelleys Island Caddy Shack, Inc. v. Zaino* (2002), 96 Ohio St.3d 375, 2002-Ohio-4930.**

The taxpayer was a vendor in the village of Kelleys Island that was subject to a resort area tax. The taxpayer sought a refund of the tax paid asserting the tax violated the Uniformity Clause of Section 26, Article II of the Ohio Constitution. The Court found the tax did not violate the Uniformity Clause. The resort-area tax was distinguished from the former

"island" tax, which was found to violate the Uniformity Clause in *Put-In-Bay Island Taxing Dist. Auth. v. Colonial, Inc.* (1992), 65 Ohio St.3d 449. That tax could only be levied by "islands," so it was geographically limited to a few specific locations in the state. While only three jurisdictions currently qualify to levy the resort tax, other municipal corporations and townships could, in the future, become resort areas and levy the tax.

***Moulton Gas Service, Inc. v. Zaino* (2002), 97 Ohio St.3d 48, 2002-Ohio-5309.**

The taxpayer was a retailer of liquid propane. It stored the propane in bulk tanks and pumped the gas into "bobtail" tanks mounted on trucks to deliver it to customers. The taxpayer contended the bulk tanks, bobtail tanks and the equipment used to pump the propane into and out of the truck tanks were exempt from sales tax as packages or equipment used in packaging the propane for sale. The Court found the bobtail tanks and bulk tanks were not "packages" within the meaning of R.C. 5739.02(B)(15) as they are not similar to bags, boxes or the other types of packaging listed in that section. Similarly, the Court found the pumping equipment was not exempt packaging equipment within the meaning of that same provision.

***Shugarman Surgical Supply, Inc. v. Zaino* (2002), 97 Ohio St.3d 183, 2002-Ohio-5809.**

The taxpayer was assessed on its sales of health care equipment and supplies for which it had no exemption certificates. The taxpayer asserted the items it sold were only used for exempt purposes under R.C. 5739.02(B)(19) and were never subject to tax. Thus, it asserted that it was not required to obtain exemption certificates under R.C. 5739.03(B). The Court found the items in question were not ones specifically exempted from tax by their nature. The taxpayer was required to obtain timely exemption certificates to support its exempt sales. The taxpayer failed to do so, and also failed to obtain additional information establishing the exempt use of the items during the time periods provided in R.C. 5739.03. Therefore, the Court upheld the assessment.

***AM & JB Corp v. Zaino* (December 26, 2002) Cuyahoga Cty. Ct. Apps. Case No. 80734, 2002-Ohio-72265.**

The taxpayer purchased an airplane and entered into an agreement characterized as a lease with an operator, who chartered the airplane, with crew, to the taxpayer and other parties on an hourly basis. The operator was to manage the airplane and provide charter service. The taxpayer asserted the purchase of the aircraft was exempt as a purchase for resale. The court found that the lease agreement did not transfer sufficient possession or control over the aircraft to the operator. The taxpayer was responsible for all costs of operating the airplane and retained approval power over the selection of crew members. The taxpayer could veto any third-party charter. The management agreement between the taxpayer and the operator designated the operator as the "agent" of the manager. The court held the operator was acting as a charter agent for the taxpayer, and not as a true lessee. Therefore, the taxpayer's purchase of the airplane was not a purchase for resale to the operator.

***Nusseibeh v. Zaino* (2003), 98 Ohio St.3d 292, 2003-Ohio-885.**

The taxpayer was the sole officer and shareholder of a corporation that operated a grocery business with a liquor license. The corporation

agreed to sell the business to a purchaser. The purchaser operated the business under a management agreement using the corporation's vendor's license and liquor license pending the transfer of the liquor license. The corporation was assessed for unpaid sales taxes during the period the purchaser was operating the business. That assessment was unpaid and the taxpayer was assessed as a responsible officer of the corporation under R.C. 5739.33. The taxpayer asserted he was not involved in the daily operation of the business. The Court said where there is only one officer of a corporation, "that officer has the responsibility for the execution of the corporation's fiscal responsibilities." The taxpayer could not delegate his responsibility to see that the corporation's tax liabilities were carried out or use his inattention to the business of the corporation as a basis to avoid personal responsibility under R.C. 5739.33.

Moore Personnel Services, Inc. v. Zaino (2003), 98 Ohio St.3d 337, 2003-Ohio-1089.

The taxpayer took personnel designated by its client onto its payroll and became the employer of these persons. The employees worked at the client's location under the direction of the client. The Tax Commissioner assessed the taxpayer as a provider of taxable employment services. The taxpayer contended it was not providing employment services since it neither provided nor supplied the personnel to its client. Rather, the taxpayer claimed that the client selected the employees to hire. The Court found that the taxpayer was providing employment services by furnishing personnel that were employed by the taxpayer to the client on a temporary or long-term basis. The fact that the client initially chose the employees to be furnished was not a factor in determining whether the taxpayer's service was an employment service under R.C. 5739.01(JJ).

Ellwood Engineered Castings Co. v. Zaino (2003), 98 Ohio St.3d 424, 2003-Ohio-1812.

The Court found the Board of Tax Appeals had erroneously based its decision exempting the taxpayer's purchase of a crane on an objection not raised by the taxpayer in its notice of appeal. The Court affirmed the finding of the Board that the taxpayer's dust collection equipment was not exempted under R.C. 5739.011(C)(5) as equipment that "totally regulates the environment in a special and limited area of the manufacturing facility where regulation is essential for production to occur." However, the Court found the Board did not rule on the taxpayer's alternate basis for claiming objection under R.C. 5739.011(B)(4), that the dust collection equipment was necessary for the continuation of the manufacturing process. The court remanded the case to the Board for further consideration.

R.K.E. Trucking, Inc. v. Zaino (2003), 98 Ohio St.3d 495, 2003-Ohio-2149.

The taxpayer was assessed on its purchases of trucks and parts and services for those trucks, which it used to transport its own property as well as property belonging to others. It claimed the purchases were exempted under R.C. 5739.02(B)(32) as being, "primarily used for transporting tangible personal property by a person engaged in highway transportation for hire." The taxpayer contended that the statute only requires the trucks be used primarily to transport tangible personal property so long as the person using the truck is engaged to some degree in transporting goods belonging to others. The Court rejected this reading and found the statute exempts only vehicles that are used primarily to transport tangible personal property belonging to others. Since the taxpayer did not show its vehicles were used primarily for that purpose, the assessment was affirmed.

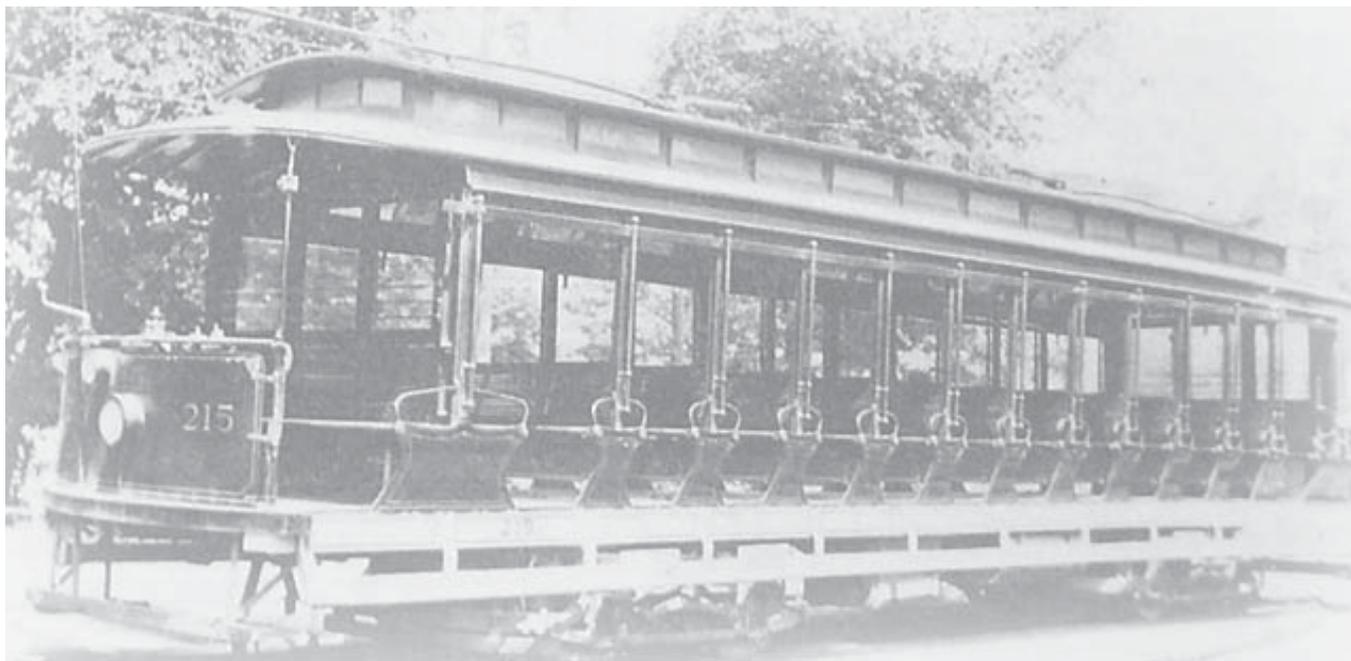


Table 1: Sales and Use Tax – Collections By Type of Payments (Includes State and Local Permissive Tax) For Fiscal Year 2003

Vendor's Sales	\$5,649,615,190
Motor Vehicle and Water Craft (from Clerks of Court)	1,232,155,529
Seller's Use	773,599,885
Consumers' Use	228,520,765
Direct Payment	217,090,045
Liquor Sales by Division of Liquor Control	20,340,868
Attorney General Sales and Use Tax Collections	<u>19,207,816</u>
Total State and Local Collections	\$8,140,530,098

Source: Department of Taxation records and Office of Budget and Management's Monthly Accounting Reports. State total may not agree with OBM accounting reports. Figures represent gross collections and therefore include collections from assessments and penalties. Refunds are not subtracted out. Figures are prior to any distribution to any state fund or to county and permissive transit authorities.

FILING AND PAYMENT DATES (R.C. 5739.031, 5739.12, 5739.17, 5741.12, Rule 5703-9-10):

Type of Return	Taxpayer	Payment Date
Weekly	Clerks of Court	Payment on Monday for taxes collected during the preceding week on motor vehicles, watercraft and outboard motors titled.
Semi-monthly	Division of Liquor Control	By the 15 th day of the month for the tax collected during the last 15 days of the previous month, and by the last day of the month for the tax collected during the first 15 days of the month, on spiritous liquor sold in state-contracted liquor agency stores.
Monthly	Vendors, sellers, service vendors, transient vendors, delivery vendors, direct pay permit holders, consumers use tax accounts	By the 23 rd day of the month following the close of the reporting period.
Quarterly	Direct pay permit holders, consumers use tax accounts	By the 23 rd day of January, April, July and October for their tax liability during the preceding three months; this method of payment may be authorized for accounts with less than \$5,000 in quarterly tax liability.
Semi-annual	Vendors, sellers, service vendors, transient vendors, delivery vendors	By the 23 rd day of the month following the close of each semi-annual period (pre-determined by filing schedule) for the tax collected during the preceding six-month period; this method of payment may be authorized for vendors and sellers whose tax liability is less than \$1,200 per six-month period.
Special payment requirements	All taxpayers	Payment must be received by the 23 rd day of the month following the close of the reporting period. Taxpayers whose annual liability in FY 2003 exceeded \$60,000 (note: pursuant to H.B. 95, this was increased effective FY 2004 to \$75,000) are required to pay by EFT. (Note: pursuant to H.B. 40 and H.B. 95, these same taxpayers are required to make accelerated payments during each month).

Sales and Use Tax

Table 2
Sales and Use Tax – Number of Accounts, By Type and
Payment Schedule (As of June 30, 2003)

Accounts	Payment Schedule			
	Semi-Annual	Monthly	Quarterly	Total
Vendors	122,053	87,341		209,394
Masters	116	2,302		2,418
Transient	24,213	3,549		27,762
Service	9,556	9,698		19,254
Delivery	4,576	1,151		5,727
Consumers		1,193	12,450	13,643
Direct Pay		396	343	739
Sellers	7,080	7,749		14,829
TOTAL	167,594	113,379	12,793	293,766



Table 3
County and Transit Authority Permissive Sales Tax Collections
Calendar Years 1998 - 2002

County	Tax Rate 12/31/02	Amount of Tax Collections					Effective Date of Current Rate	
		1998	1999	2000	2001	2002	Initial Enactment	Current Rate
Adams	1.50	\$2,163,846	\$1,714,927	\$1,709,172	\$2,508,419	\$2,735,086	June 1, 1991	Jan. 1, 2001
Allen	1.00	11,812,923	12,396,517	12,931,861	12,609,819	13,133,787	May 1, 1970	June 1, 1987
Ashland	1.25	4,543,182	4,827,163	4,978,702	5,177,525	5,220,317	Mar. 1, 1971	Jan. 1, 1998
Ashtabula	1.00	7,154,163	7,552,178	7,943,877	7,741,939	7,986,904	Apr. 1, 1977	July 1, 1985
Athens	1.25	4,487,932	4,739,315	4,924,924	5,015,813	5,233,606	Feb. 1, 1982	Jan. 1, 1994
Auglaize	1.50	5,263,802	5,567,391	5,814,614	5,577,880	5,503,873	Nov. 1, 1973	June 1, 1996
Belmont	1.50	9,766,623	10,293,024	10,919,635	11,005,566	11,324,956	May 1, 1985	Jan. 1, 1995
Brown	1.25	2,401,378	2,573,458	2,666,335	2,933,412	2,909,963	Aug. 1, 1979	Jan. 1, 1996
Butler	0.50	13,140,269	14,231,493	15,907,481	16,327,018	16,623,304	June 1, 1985	Feb. 1, 1995
Carroll	1.00	1,364,596	1,486,349	1,504,183	1,547,391	1,581,707	Sep. 1, 1985	June 1, 1996
Champaign	1.00	2,358,266	2,428,019	2,487,111	2,568,349	2,586,881	Jan. 1, 1986	Jan. 1, 1986
Clark	1.00	11,989,411	11,237,543	12,089,114	12,430,551	17,344,078	Nov. 1, 1972	Nov. 1, 2002
Clermont	1.00	15,627,874	17,028,404	18,149,686	18,959,109	19,513,566	Aug. 1, 1979	Oct. 1, 1983
Clinton	1.00	3,586,807	3,696,335	3,732,794	3,758,093	3,941,549	May 1, 1972	Nov. 1, 1988
Columbiana	1.50	6,719,847	4,092,246	3,213	6,487,295	8,365,728	Aug. 1, 1985	Sept. 1, 2002
Coshocton	1.00	2,469,656	2,716,038	2,326,158	2,485,860	2,558,793	June 1, 1971	Mar. 1, 1985
Crawford	1.50	4,091,500	4,544,496	5,013,096	4,492,005	4,647,342	May 1, 1978	July 1, 1994
Cuyahoga	1.00	146,122,594	151,304,357	161,909,936	157,747,011	156,713,498	Sep. 1, 1969	Oct. 1, 1987
Darke	1.00	3,757,174	4,015,919	4,284,155	4,485,850	4,281,463	July 1, 1975	Jan. 1, 1988
Defiance	1.00	3,947,756	4,156,527	4,224,370	4,331,193	4,658,543	Feb. 1, 1987	Feb. 1, 1987
Delaware	1.25	12,043,969	14,453,215	18,211,040	20,406,106	26,069,586	Jan. 1, 1972	Oct. 1, 1996
Erie	1.00	9,674,961	10,173,486	10,640,936	10,457,954	10,801,348	Mar. 1, 1977	May 1, 1993
Fairfield	0.75	7,941,612	9,043,396	9,341,568	9,328,600	9,988,803	Sep. 1, 1981	Aug. 1, 1995
Fayette	1.00	3,567,045	3,812,525	3,944,328	4,009,709	4,194,940	Mar. 1, 1983	July 1, 1988
Franklin	0.50	72,262,490	79,029,545	82,900,256	81,139,049	79,621,688	Sep. 1, 1985	Sep. 1, 1985
Fulton	1.00	3,416,180	3,741,901	3,932,599	3,713,217	3,900,824	May 1, 1972	Feb. 1, 1987
Gallia	1.25	3,086,185	3,323,068	3,206,415	3,300,565	3,480,707	Dec. 1, 1981	Feb. 1, 1995
Geauga	0.50	3,794,817	3,886,833	4,106,539	4,187,169	4,383,695	Aug. 1, 1987	Feb. 1, 1998
Greene	1.00	14,462,120	15,771,384	16,663,041	17,721,787	18,228,212	Mar. 1, 1971	Feb. 1, 1987
Guernsey	1.50	4,395,688	4,751,472	4,693,966	4,849,472	5,303,637	Feb. 1, 1971	Aug. 1, 1993
Hamilton	1.00	112,601,389	120,294,237	120,817,937	118,656,334	119,722,909	June 1, 1970	June 1, 1996
Hancock	0.50	4,334,591	4,519,494	4,996,051	4,923,237	4,865,680	Feb. 1, 1979	Apr. 1, 1983
Hardin	1.00	2,310,259	1,964,520	2,129,093	1,961,237	2,016,990	Oct. 1, 1985	Mar. 1, 1990
Harrison	1.50	933,654	1,056,460	1,045,888	1,059,708	1,109,957	Dec. 1, 1985	June 1, 1994
Henry	1.00	1,918,655	1,970,309	1,922,753	2,033,158	2,262,060	Mar. 1, 1972	June 1, 1986
Highland	1.00	2,472,251	2,658,210	2,764,093	2,813,126	2,908,287	May 1, 1979	Mar. 1, 1993
Hocking	1.25	1,725,376	1,959,342	2,026,495	2,079,129	2,519,146	Apr. 1, 1979	Jan. 1, 1998
Holmes	1.00	3,245,706	3,444,413	3,591,111	3,615,131	3,894,484	July 1, 1977	Jan. 1, 1998
Huron	1.50	6,194,310	6,704,027	6,936,405	6,781,287	6,977,054	Feb. 1, 1978	Jan. 1, 1996
Jackson	1.50	3,268,022	3,629,450	3,788,268	3,860,057	3,915,326	Apr. 1, 1982	Jan. 1, 1998
Jefferson	1.50	7,550,738	7,959,072	8,212,471	8,070,683	8,566,108	June 1, 1973	Nov. 1, 1994
Knox	1.00	3,585,887	3,913,759	4,129,387	4,084,907	4,261,652	May 1, 1971	Feb. 1, 1994
Lake	0.50	13,446,963	13,467,122	14,271,275	14,359,797	14,466,920	July 1, 1969	Aug. 1, 1988
Lawrence	1.50	4,567,930	5,888,298	5,907,330	5,977,278	6,372,556	June 1, 1986	June 1, 1998
Licking	1.00	11,925,092	13,270,782	14,255,769	14,686,190	14,873,722	Feb. 1, 1971	Feb. 1, 1984
Logan	1.50	5,866,233	5,945,219	5,490,540	6,737,920	6,832,540	Jan. 1, 1974	July 1, 1997
Lorain	0.75	16,384,424	17,691,695	18,596,540	19,346,425	20,506,375	July 1, 1985	July 1, 1995
Lucas	1.25	61,791,354	66,617,121	67,926,364	67,081,391	68,211,381	Feb. 1, 1971	Jan. 1, 1993
Madison	1.25	2,442,148	3,084,714	3,574,666	3,508,994	3,668,161	Mar. 1, 1983	July 1, 1999
Mahoning	1.00	13,166,020	12,506,251	23,935,036	25,388,374	25,819,561	Apr. 1, 1980	Jan. 1, 2000
Marion	1.00	5,575,083	5,802,959	6,094,993	6,018,733	6,187,872	Sep. 1, 1985	Apr. 1, 1992
Medina	0.50	6,537,994	7,173,100	7,564,323	7,701,566	8,137,853	Apr. 1, 1971	Apr. 1, 1971
Meigs	1.00	1,107,462	1,194,290	1,178,407	1,150,382	1,119,751	Feb. 1, 1987	Feb. 1, 1987
Mercer	1.00	2,921,555	3,051,125	3,117,588	3,078,404	3,151,037	Nov. 1, 1971	July 1, 1987
Miami	1.00	10,787,022	10,662,813	9,048,808	9,145,706	9,613,548	Dec. 1, 1969	Nov. 1, 1999
Monroe	1.50	1,132,113	1,207,193	1,280,453	1,295,895	1,150,584	Oct. 1, 1986	Nov. 1, 1994
Montgomery	1.00	59,291,722	62,860,529	64,101,822	63,935,967	62,952,069	Jan. 1, 1971	July 1, 1989
Morgan	1.50	946,914	1,000,399	966,051	974,991	988,948	Feb. 1, 1972	Apr. 1, 1990
Morrow	1.50	1,877,688	2,080,515	2,219,450	2,336,313	2,320,573	July 1, 1971	July 1, 1995
Muskingum	1.50	11,729,991	12,556,814	13,430,005	13,217,016	13,620,339	May 1, 1971	Apr. 1, 1993
Noble	1.50	727,276	835,295	847,078	875,360	881,894	Jan. 1, 1971	Feb. 1, 1995
Ottawa	1.00	4,141,994	4,279,923	4,260,423	4,299,825	4,522,532	Oct. 1, 1973	Jan. 1, 1998
Paulding	1.50	1,436,320	1,840,801	1,528,235	1,535,789	1,500,731	Apr. 1, 1984	Nov. 1, 1991
Perry	1.00	1,355,682	1,470,176	1,505,218	1,467,299	1,573,349	Mar. 1, 1971	May 1, 1982
Pickaway	1.50	4,240,365	3,289,231	3,359,463	3,455,616	5,229,953	Oct. 1, 1983	Dec. 1, 2001
Pike	1.00	1,952,003	2,129,841	2,014,065	1,891,196	2,041,571	May 1, 1988	May 1, 1988
Portage	1.00	\$13,589,691	\$14,601,152	\$12,170,365	\$12,364,275	\$12,629,466	Apr. 1, 1971	Dec. 1, 1999

(Cont'd)

Sales and Use Tax

Table 3 (continued)
County and Transit Authority Permissive Sales Tax Collections
Calendar Years 1998- 2002

County	Tax Rate 12/31/02	Amount of Tax Collections					Effective Date	
		1998	1999	2000	2001	2002	Initial Enactment	of Current Rate
Preble	1.50	\$3,435,149	\$3,722,785	\$3,965,676	\$3,932,793	\$3,788,124	Nov. 1, 1979	May 1, 1994
Putnam	1.25	2,254,047	2,198,501	2,379,539	2,697,284	2,896,552	Jan. 1, 1974	June 1, 2001
Richland	1.25	9,770,903	14,132,541	18,222,205	17,825,117	18,196,319	June 1, 1979	May 1, 1999
Ross	1.50	9,034,923	9,413,899	10,010,337	10,023,413	10,250,454	Jan. 1, 1980	Oct. 1, 1993
Sandusky	1.00	4,987,986	5,207,216	5,638,000	5,784,111	5,757,414	Aug. 1, 1979	Aug. 1, 1995
Scioto	1.50	5,137,617	5,320,502	5,402,810	7,113,715	8,233,430	Mar. 1, 1979	May 1, 2001
Seneca	1.00	3,905,937	4,126,466	4,266,521	4,221,049	4,405,538	Oct. 1, 1983	July 1, 1988
Shelby	1.50	5,828,457	6,172,722	6,310,388	6,452,038	6,875,897	Mar. 1, 1971	Jan. 1, 1998
Stark	0.00	18,358,904	11,845,685	954,655	69,556	278,927	Jan. 1, 1987	July 1, 1999
Summit	0.50	29,677,644	30,544,906	33,231,970	32,216,548	33,081,046	Mar. 1, 1973	Nov. 1, 1995
Trumbull	0.50	14,039,304	12,376,412	10,347,754	10,112,719	10,856,884	June 1, 1985	June 1, 1999
Tuscarawas	1.00	8,911,794	8,365,581	8,550,283	8,516,440	8,690,202	Apr. 1, 1971	July 1, 1998
Union	1.00	4,138,690	4,590,268	4,535,799	7,281,115	5,724,615	Apr. 1, 1989	Apr. 1, 1989
Van Wert	1.50	3,261,252	3,314,168	3,009,268	3,179,041	3,163,301	Mar. 1, 1972	Mar. 1, 1991
Winton	1.50	640,150	675,798	704,755	711,818	742,621	May 1, 1985	Mar. 1, 1992
Warren	1.00	15,640,249	17,402,616	18,609,304	20,075,961	20,487,452	Jan. 1, 1972	Jan. 1, 1992
Washington	1.50	7,544,000	7,906,355	8,057,457	8,202,263	8,542,670	Oct. 1, 1983	Jan. 1, 1990
Wayne	0.75	6,874,245	7,052,063	7,515,034	7,424,116	7,633,464	Mar. 1, 1971	Jan. 1, 1992
Williams	1.00	2,987,960	3,128,191	3,166,060	2,924,291	3,023,943	Dec. 1, 1977	Apr. 1, 1986
Wood	1.00	10,906,264	11,770,403	11,981,660	12,465,150	13,063,171	June 1, 1971	Nov. 1, 1987
Wyandot	1.00	1,446,498	1,516,358	1,612,759	1,639,128	1,623,637	Feb. 1, 1985	Jan. 1, 1988
County Total		\$975,278,513	\$1,023,952,612	\$1,061,637,557	\$1,071,940,085	\$1,101,546,982		
Cleveland RTA (Cuyahoga Co.)	1.00	\$146,188,752	\$151,405,646	\$161,991,565	\$157,823,888	\$156,735,486	Oct. 1, 1975	Oct. 1, 1975
Central Ohio TA (Franklin Co.)	0.25	36,445,397	40,163,579	42,128,119	41,601,224	41,334,523	Sept. 1, 1980	Feb. 1, 1990
LakeTran RTA (Lake Co.)	0.25	6,718,866	6,731,568	7,130,985	7,175,596	7,202,698	Aug. 1, 1988	Aug. 1, 1988
Miami Valley TA (Montgomery Co.)	0.50	29,679,763	31,445,584	32,078,659	31,968,728	31,433,081	July 1, 1980	July 1, 1980
Portage Area RTA (Portage Co.)	0.25	—	—	—	—	2,564,174	Feb. 1, 2002	Feb. 1, 2002
Stark Area RTA (Stark Co.)	0.25	9,071,557	9,876,829	10,323,125	10,175,541	10,607,899	July 1, 1997	July 1, 1997
Metro TA (Summit Co.)	0.25	14,800,821	15,283,091	16,548,007	16,078,157	16,484,481	Feb. 1, 1991	Feb. 1, 1991
Transit Authority Total		\$242,905,157	\$254,906,296	\$270,200,460	\$264,823,134	\$266,362,341		
TOTAL		\$1,218,183,670	\$1,278,858,908	\$1,331,838,017	\$1,336,763,219	\$1,367,909,324		

Note: Some counties and transit authorities have repealed and then re-enacted the tax, or have changed the tax rate since the first enactment.

Source: Department of Taxation, Revenue Accounting Division.