(131st General Assembly)
(Substitute Senate Bill Number 2)

AN ACT

To amend section 5701.11 of the Revised Code to expressly incorporate changes in the Internal Revenue Code since April 1, 2015, into Ohio law, and to declare an emergency.

Be it enacted by the General Assembly of the State of Ohio:

SECTION 1. That section 5701.11 of the Revised Code be amended to read as follows:

Sec. 5701.11. The effective date to which this section refers is the effective date of this section as amended by ~~H.B. 19~~ S.B. 2 of the 131st general assembly.

(A)(1) Except as provided under division (A)(2) or (B) of this section, any reference in Title LVII of the Revised Code to the Internal Revenue Code, to the Internal Revenue Code "as amended," to other laws of the United States, or to other laws of the United States, "as amended," means the Internal Revenue Code or other laws of the United States as they exist on the effective date.

(2) This section does not apply to any reference in Title LVII of the Revised Code to the Internal Revenue Code as of a date certain specifying the day, month, and year, or to other laws of the United States as of a date certain specifying the day, month, and year.

(B)(1) For purposes of applying section 5733.04, 5745.01, or 5747.01 of the Revised Code to a taxpayer's taxable year ending after ~~March 22, 2013~~April 1, 2015, and before the effective date, a taxpayer may irrevocably elect to incorporate the provisions of the Internal Revenue Code or other laws of the United States that are in effect for federal income tax purposes for that taxable year if those provisions differ from the provisions that, under division (A) of this section, would otherwise apply. The filing by the taxpayer for that taxable year of a report or return that incorporates the provisions of the Internal Revenue Code or other laws of the United States applicable for federal income tax purposes for that taxable year, and that does not include any adjustments to reverse the effects of any differences between those provisions and the provisions that would otherwise apply, constitutes the making of an irrevocable election under this division for that taxable year.

(2) Elections under prior versions of division (B)(1) of this section remain in effect for the taxable years to which they apply.

SECTION 2. That existing section 5701.11 of the Revised Code is hereby repealed.

SECTION 3. This act is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, and safety. The reason for such necessity is to enable taxpayers to avoid making miscellaneous adjustments on their 2015 tax returns that increase tax liabilities. Therefore, this act shall go into immediate effect.

Sub. S. B. No. 2 131st G.A.

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Speaker ______________ of the House of Representatives.

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President ______________ of the Senate.

Passed January 27, 2016

Approved February 14, 2016

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Governor.

Sub. S. B. No. 2 131st G.A.

The section numbering of law of a general and permanent nature is complete and in conformity with the Revised Code.

Mark C. Flanders

Director, Legislative Service Commission.

Filed in the office of the Secretary of State at Columbus, Ohio, on the 16 day of February, A. D. 2016.

Jon Husted

Secretary of State.

File No. 46 Effective Date February 14, 2016

File No. 46

(131st General Assembly)
(Substitute Senate Bill Number 2)

AN ACT

To amend section 5701.11 of the Revised Code to expressly incorporate changes in the Internal Revenue Code since April 1, 2015, into Ohio law, and to declare an emergency.

Introduced by

Senator Peterson

Cosponsors: Senators Beagle, Sawyer, Tavares, Balderson, Burke, Eklund, Faber, Gardner, Hite, Hottinger, Hughes, Jones, Lehner, Obhof, Oelslager, Patton, Seitz, Widener Representatives Amstutz, Rogers, Cera, Anielski, Baker, Blessing, Boose, Burkley, Cupp, Dever, Dovilla, Duffey, Ginter, Green, Hackett, Hayes, Henne, Johnson, T., Leland, Manning, McClain, Perales, Reineke, Romanchuk, Ruhl, Ryan, Schaffer, Scherer, Sheehy, Sweeney, Terhar, Thompson, Young

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Passed by the Senate,

February 11, 2016

Passed by the House of Representatives,

January 27, 2016

Concurred in House amendments January 27, 2016

Filed in the office of the Secretary of State at Columbus, Ohio, on the

16 *day of* February, *A. D.* 2016

Jon Husted

Secretary of State.