

5701.11

Because of recent amendments to Ohio Revised Code section 5701.11, reproduced below, taxpayers will not have to make any "miscellaneous federal tax adjustments" on their year 2007 Ohio income tax returns, their year 2007 school district income tax returns, and their year 2008 corporate franchise tax reports. Furthermore, residents of "earned income only" school districts should enter -0- on line 19 on page 2 of form SD 100 for year 2007. If you have additional questions, please return to our home page and click on "Contact Us" which is the last entry located under the "Popular Links" set forth on the left hand side of our home page.

Ohio Revised Code section 5701.11

**As amended by Substitute House Bill No. 157, 127th General Assembly
Effective December 2007**

Sec. 5701.11. The effective date ~~referred to in~~ which this section refers is the effective date of this section as amended by H.B. ~~699~~ 157 of the ~~126th~~ 127th 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. ~~This~~

(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 ~~in~~ after December 28, 2006, 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 ~~be incorporated into section 5733.04, 5745.01, or 5747.01 of the Revised Code for that taxable year under division (A) of this section~~ apply. The filing ~~of a report or return~~ of a report or return by the taxpayer for that taxable year ~~incorporating~~ 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 ~~to~~ for that taxable year, ~~without and that does not include any~~ adjustments to reverse the effects of any differences between those provisions and the provisions that would otherwise be incorporated under division (A) of this section 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.