Because of recent amendments to Ohio Revised Code (ORC) section 5701.11, taxpayers will not be required to make any “miscellaneous federal tax adjustments” on their year 2012 Ohio or school district income tax returns. Furthermore, residents of “earned income only” school districts should enter -0- on line 21 on page 2 of form SD 100 for tax year 2012. See Am. S.B. 28 of the 130th General Assembly, effective as of March 22, 2013.

HOWEVER, the recent legislation does not alter taxpayer responsibilities with respect to Internal Revenue Code (IRC) section 168(k) bonus depreciation and IRC section 179 first-year cost recovery. Taxpayers reporting such depreciation for Ohio purposes must continue to make a 2/3, 5/6, or 6/6 add-back under ORC section 5747.01(A)(20)(a) on the 2012 IT1040 line 33g. During each year following the tax year of the add-back for the next 2, 5, or 6 years respectively, taxpayers may take the allowed corresponding 1/2, 1/5, or 1/6 deduction under ORC section 5747.01(A)(21)(a) on the IT1040 line 35b. See Sub. H.B. 365 of the 129th General Assembly for recent changes to how IRC section 179 and 168(k) depreciation expenses are treated for Ohio purposes.

Taxpayers with additional questions regarding this subject may wish to visit tax.ohio.gov. Taxpayers may submit a question to the Ohio Department of Taxation by choosing the “Contact Us” option found on the bottom of the page.