



Ohio Revised Code

Section 5731.131 Value of gross estate includes income interest for life where marital deduction allowable.

Effective: June 30, 2005

Legislation: House Bill 66 - 126th General Assembly

The value of the gross estate shall include the value of any property in which the decedent had an income interest for life as follows:

- (A) If a marital deduction was allowed with respect to the transfer of such property to the decedent under section 2523(f) of the Internal Revenue Code, in connection with the determination of the value of the taxable estate of the decedent's predeceasing spouse;
 - (B) If the decedent's predeceasing spouse was not a resident of this state at the time of death and if a marital deduction was allowed with respect to the transfer of such property to the decedent under section 2056(b)(7) of the Internal Revenue Code, in connection with the determination of the value of the taxable estate of the decedent's predeceasing spouse;
 - (C) If the decedent's predeceasing spouse died prior to July 1, 1993, and if a marital deduction was allowed with respect to the transfer of such property to the decedent under division (A)(1) of section 5731.15 of the Revised Code as it existed prior to July 1, 1993, in connection with the determination of the value of the taxable estate of the decedent's predeceasing spouse;
 - (D) If a qualified terminable interest property deduction was allowed with respect to the transfer of such property to the decedent under division (B) of section 5731.15 of the Revised Code, in connection with the determination of the value of the taxable estate of the decedent's predeceasing spouse.
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