



Ohio Administrative Code

Rule 122:16-1-04 Tax credit per cent and term.

Effective: July 28, 2016

(A) The authority shall not grant a tax credit under section 122.171 of the Revised Code in which the estimated value to the taxpayer exceeds seventy-five per cent of the state income tax revenue estimated to be withheld from full-time equivalent employees of the taxpayer located at the project site.

(B) Except as otherwise provided in paragraph (D) of this rule, the authority shall not grant a tax credit that exceeds a term of ten years. The tax credit may be claimed by the taxpayer only for the consecutive taxable years during the term.

(C) The authority shall consider the following factors in determining the tax credit percentage and term to be granted to a taxpayer:

(1) The determinations and recommendations provided under division (C) of section 122.171 of the Revised Code by the director, the director of budget and management, the superintendent of insurance in the case of an insurance company and the tax commissioner;

(2) The average hourly wage rate, excluding benefits, of the full-time equivalent employees at the project site;

(3) The number of full-time equivalent employees to be retained at the project site;

(4) The amount of Ohio employee payroll to be retained at the project site;

(5) The plan of capital investment proposed by the taxpayer at the project site;

(6) The economic condition of the county and region of the state where the project is to be located;

(7) The industry sector of the project proposed for tax credit assistance;



(8) The amount of direct local financial support committed to the project; and

(9) The amount of other financial assistance to be provided by the state in support of the project.

(D) The authority may grant a tax credit term between eleven and fifteen years if the director recommends and the authority finds that there is significant retention associated with the project. The authority shall not grant a tax credit that exceeds a term allowable under division (B) of section 122.171 of the Revised Code.