

As Passed by the House

132nd General Assembly

Regular Session

2017-2018

Am. S. B. No. 9

Senator Bacon

Cosponsors: Senators Hottinger, Manning, Obhof, Eklund, Hoagland, Balderson, Uecker, Gardner, Beagle, Yuko, Hite, Lehner, LaRose, Williams, Schiavoni, O'Brien, Hackett, Wilson, Peterson, Brown, Burke, Dolan, Oelslager, Sykes, Thomas Representatives Schaffer, Scherer, Rogers, Cera, Green, Hambley, Patmon, Retherford, Ryan, Anielski, Antani, Antonio, Arndt, Barnes, Brenner, Carfagna, Celebrezze, Clyde, Conditt, Craig, DeVitis, Duffey, Edwards, Faber, Gavarone, Ginter, Greenspan, Hagan, Hill, Holmes, Householder, Huffman, Hughes, Ingram, Johnson, Keller, Kelly, Kick, Koehler, Landis, Lanese, LaTourette, Leland, Lepore-Hagan, Manning, Miller, O'Brien, Patterson, Patton, Pelanda, Perales, Reece, Reineke, Rezabek, Roegner, Romanchuk, Schuring, Seitz, Sheehy, Slaby, Sprague, Stein, Strahorn, Sweeney, Thompson, West, Wiggam, Young, Speaker Rosenberger

A BILL

To provide for a three-day sales tax "holiday" in 1
August 2017 during which sales of clothing and 2
school supplies are exempt from sales and use 3
taxes and to declare an emergency. 4

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF OHIO:

Section 1. (A) All terms used in this section have the 5
same meanings as in sections 5739.01 and 5741.01 of the Revised 6
Code. As used in this section: 7

(1) "Clothing" means all human wearing apparel suitable 8
for general use. "Clothing" includes, but is not limited to, 9
aprons, household and shop; athletic supporters; baby receiving 10

blankets; bathing suits and caps; beach capes and coats; belts 11
and suspenders; boots; coats and jackets; costumes; diapers, 12
children and adult, including disposable diapers; ear muffs; 13
footlets; formal wear; garters and garter belts; girdles; gloves 14
and mittens for general use; hats and caps; hosiery; insoles for 15
shoes; lab coats; neckties; overshoes; pantyhose; rainwear; 16
rubber pants; sandals; scarves; shoes and shoe laces; slippers; 17
sneakers; socks and stockings; steel-toed shoes; underwear; 18
uniforms, athletic and nonathletic; and wedding apparel. 19

"Clothing" does not include items purchased for use in a trade 20
or business; clothing accessories or equipment; protective 21
equipment; sports or recreational equipment; belt buckles sold 22
separately; costume masks sold separately; patches and emblems 23
sold separately; sewing equipment and supplies including, but 24
not limited to, knitting needles, patterns, pins, scissors, 25
sewing machines, sewing needles, tape measures, and thimbles; 26
and sewing materials that become part of "clothing" including, 27
but not limited to, buttons, fabric, lace, thread, yarn, and 28
zippers. 29

(2) "School supplies" means items commonly used by a 30
student in a course of study. "School supplies" includes only 31
the following items: binders; book bags; calculators; cellophane 32
tape; blackboard chalk; compasses; composition books; crayons; 33
erasers; folders, expandable, pocket, plastic, and manila; glue, 34
paste, and paste sticks; highlighters; index cards; index card 35
boxes; legal pads; lunch boxes; markers; notebooks; paper, 36
loose-leaf ruled notebook paper, copy paper, graph paper, 37
tracing paper, manila paper, colored paper, poster board, and 38
construction paper; pencil boxes and other school supply boxes; 39
pencil sharpeners; pencils; pens; protractors; rulers; scissors; 40
and writing tablets. "School supplies" does not include any item 41

purchased for use in a trade or business. 42

(3) "School instructional material" means written material 43
commonly used by a student in a course of study as a reference 44
and to learn the subject being taught. "School instructional 45
material" includes only the following items: reference books, 46
reference maps and globes, textbooks, and workbooks. "School 47
instructional material" does not include any material purchased 48
for use in a trade or business. 49

(B) Taxes levied by or under sections 5739.02, 5739.021, 50
5739.023, 5739.026, 5741.02, 5741.021, 5741.022, and 5741.023 of 51
the Revised Code do not apply to the sale or storage, use, or 52
other consumption of any of the following if the sale or 53
purchase occurs on August 4, 5, or 6, 2017: 54

(1) An item of clothing, the price of which is seventy- 55
five dollars or less; 56

(2) An item of school supplies, the price of which is 57
twenty dollars or less; 58

(3) An item of school instructional material, the price of 59
which is twenty dollars or less. 60

(C) This section is repealed effective August 11, 2017. 61

Section 2. This act is hereby declared to be an emergency 62
measure necessary for the immediate preservation of the public 63
peace, health, and safety. The reason for such necessity is to 64
enable consumers to take advantage of the sales tax holiday 65
authorized by the act. Therefore, this act shall go into 66
immediate effect. 67