



www.lsc.ohio.gov

OHIO LEGISLATIVE SERVICE COMMISSION

Office of Research
and Drafting

Legislative Budget
Office

H.B. 547
135th General Assembly

Bill Analysis

[Click here for H.B. 547's Fiscal Note](#)

Version: As Reported by House Economic and Workforce Development

Primary Sponsors: Reps. Wiggam and Gross

Andrew Little, Attorney

SUMMARY

- Prohibits the Ohio Housing Finance Agency from awarding a state low-income housing tax credit to a housing project unless the project owner certifies that the owner will take certain actions to limit tenancy to individuals who are legally present in the United States.
- Allows the Attorney General to investigate violations of the bill's requirements and requires the Ohio Housing Finance Agency to rescind credits for noncompliance following a notice and cure period.

DETAILED ANALYSIS

Continuing law authorizes the Ohio Housing Finance Agency (OHFA) to allocate federal and state tax credits to residential developers who agree to reserve units for low-income tenants. The state credit is awarded to projects that have received an allocation of the federal credit, generally in an amount that assures a project's financial feasibility.¹

The bill prohibits OHFA from awarding a state low-income housing tax credit to any housing project without first obtaining a written declaration from the project owner. The declaration must state that the owner will take certain actions to limit rental of the completed project to individuals who are legally present in the United States.

In the certification, a project owner must commit to do the following:

- Prohibit any part of the project from being leased to a person who is unlawfully present in the United States;

¹ R.C. 175.16, not in the bill.

- Require every prospective tenant to present proof of legal presence in the United States by providing one of the following documents:
 - An original or certified copy of a birth certificate;
 - A current and valid United States passport or passport card;
 - A consular report of birth abroad from the U.S. State Department;
 - A certificate of naturalization or citizenship from the U.S. Department of Homeland Security;
 - A document issued by U.S. Citizenship and Immigration Services showing the person's dates of the tenant's legal presence;
 - A valid and current driver's license or state-issued identification card.
- Maintain a copy of each document used to verify legal presence until the tenant's tenancy ends and allow access to the Attorney General.

The Attorney General may investigate alleged violations of the bill's requirements. If there is an investigation and cause to believe a violation has occurred, the Attorney General must refer the evidence to OHFA. If OHFA determines that a project owner has failed to comply with the bill's requirements, then OHFA must give the project owner notice of each specific instance of noncompliance. The owner then has 90 days to cure each instance of noncompliance, extendable by OHFA to 180 days if it determines there is good cause to do so. Project owners are deemed in compliance if they bring eviction actions within 45 days of receiving a notice and do not voluntarily dismiss the actions, regardless of their outcomes.

If a project owner does not remedy the noncompliance by the required date, OHFA must revoke the credit. Revocations are prorated under the bill and must be made in proportion to the number of units out of compliance compared to the total number of units. Project owners who have credits revoked under the bill may again claim them by bringing units back into compliance.²

HISTORY

Action	Date
Introduced	05-15-24
Reported, H. Economic and Workforce Development	12-04-24

ANHB0547RH-135/ar

² R.C. 175.061.