

Passed:
By:

RESOLUTION NO. 2013-21

OPPOSING THE PASSAGE OF HB 5 BY THE OHIO GENERAL
ASSEMBLY WHICH PROPOSES UNIFORMITY MEASURES FOR MUNICIPAL
INCOME TAX IN THE FORM OF UNFUNDED MANDATES AND A SUBSTANTIAL
LOSS OF REVENUE

WHEREAS, the Municipal Income Tax Uniformity Coalition, headed by the Ohio Society of CPA's, with business community membership including the Ohio Chamber of Commerce, with support from Representatives Grossman, Henne and Barnes, met with members of the Ohio Municipal League and municipal income tax representatives; and

WHEREAS, the purpose of these Interested Parties meetings was to achieve consensus on issues regarding municipal income tax uniformity for the inclusion in legislation; and

WHEREAS, municipalities agree that revenue neutral uniformity on issues that will ease compliance burdens for businesses in and potentially locating in Ohio would be of great benefit to all of Ohio; and

WHEREAS, the Coalition has drafted and introduced language that is detrimental to the financial stability of municipalities, will drastically reduce revenue for all municipalities in Ohio, and includes "unfunded mandates" which will cripple the ability for municipalities to provide basic services to residents and resident businesses alike; and

WHEREAS, the recent reduction in the Local Government Fund has resulted in a loss of \$55,000 in revenue to Amberley Village; and

WHEREAS, the elimination of the Estate Tax will result in an average annual loss of \$796,000 in revenue for Amberley Village; and

WHEREAS, HB 5 includes provisions that require State oversight of municipal income tax administration, administrative policies and procedures for municipal income tax collection and administration that causes undue hardship on the ability of municipalities to administer the tax in an effective manner; and

WHEREAS, key pieces of this legislation are clearly an attempt to reduce municipal income tax obligations for businesses by reducing tax liabilities for businesses, which does not change the complexity or add simplicity to the process of filing and paying municipal income tax; and

WHEREAS, provisions in HB5 hamper every municipality's ability to audit and correct municipal income tax returns, to equitably enforce the municipal income tax laws, creates increased cost of administration due to burdensome notification requirements, reduces revenue

due to “unfunded mandates” and elimination of compliance processes, and has been crafted as a vehicle to control the administrative process of municipal income tax to the benefit of specific taxpayer interests; and

WHEREAS, municipalities must fight to protect their single largest revenue source, which provides essential municipal services, promoting a positive quality of life that residents and businesses alike rely upon, and any forced reduction in this revenue will have a negative impact on residents and businesses, creating an environment detrimental to retaining and attracting business in Ohio.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF AMBERLEY VILLAGE, OHIO, _____ (__) members elected thereto concurring,

SECTION 1: That the Council of Amberley Village does hereby declare its strong opposition to any effort by the Ohio General Assembly to pass legislation that creates “unfunded mandates” and a loss of revenue.

SECTION 2: That the Council of Amberley Village urges its state legislators to reject HB 5 and any amendment to pending bills and opposes the introduction of new legislation that proposes to reduce municipal income tax revenue to municipalities in Ohio.

SECTION 3: That members of the Ohio House and Senate should engage in constructive dialogue with local officials to gain consensus on correction of the perceived issues of potential revenue-neutral commonality and uniformity in those few remaining differences in municipal income tax provisions.

SECTION 4: The Clerk of Council is hereby directed to forward a copy of this resolution to Governor John Kasich, Lieutenant Governor Mary Taylor, all members of the Ohio Senate and House of Representatives and Ohio Tax Commissioner Joe Testa.

SECTION 5: This Resolution shall take effect and be in force from and after the earliest period allowed by law.

Passed this _____ day of June, 2013.

Mayor J.K. Byar

Attest:

Nicole Browder, Clerk of Council

Resolution Vote:

Moved: _____ Second: _____

I, Clerk of Council of Amberley Village, Ohio, certify that on the ____ day of June 2013, the forgoing Resolution was published pursuant to Article IX of the Home Rule Charter by posting true copies of said Resolution at all of the places of public notice as designed by Sec. 31.40(B), Code of Ordinances.

Nicole Browder, Clerk of Council