



Department of  
Taxation

*Business Tax Division*

Date: February 4, 2013

RE: Tax Release / Tax Waiver forms for Ohio Estate Tax

Dear Sir or Madam:

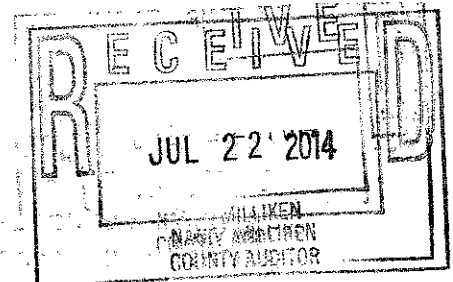
As you can see in the see in the attached Tax Alert, the Ohio Estate Tax has been repealed for dates of death on or after January 1, 2013.

As explained in this Tax Alert, for the estates of individuals with a date of death on or after January 1, 2013, the Department no longer requires a tax release / tax waiver form before certain assets of a decedent may be transferred to another person. Please note that, for individuals with dates of death prior to January 1, 2013, tax release forms are still required for all asset transfers greater than \$25,000.

Further, the Department of Taxation will not review or process tax release / inheritance tax waiver forms for decedents dying on or after January 1, 2013. For individuals with a date of death on or after January 1, 2013, the Department of Taxation requests that counties and county auditors no longer process these forms, and no longer submit these forms to the Department of Taxation.

If you have any questions, please call the Estate Tax Unit of the Ohio Department of Taxation at 1-800-977-7711.

Business Tax Division  
Ohio Department of Taxation





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## **TAX ALERT**

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December 19, 2012

### **OHIO ESTATE TAX UPDATE**

#### **Ohio Estate Tax returns – filing no longer required for the estates of individuals with a date of death on or after January 1, 2013**

The Ohio Estate Tax has been repealed for the estates of individuals dying on or after January 1, 2013. See House Bill 153, 129<sup>th</sup> General Assembly. Under this repeal of the Ohio Estate Tax, no Ohio estate tax returns should be filed for individuals dying on or after January 1, 2013. For more information about this, please see the FAQs on the Estate Tax Unit's website at <http://www.tax.ohio.gov/estate/faqs/estate.aspx>.

However, the Ohio Estate Tax is still in effect for individuals dying prior to January 1, 2013 who have a gross estate greater than \$338,333.00.

#### **Tax Release / Inheritance Tax waiver forms - no longer required for estates of individuals with a date of death on or after January 1, 2013**

House Bill 508, 129th General Assembly, eliminated the requirement, with respect to decedents dying on or after January 1, 2013, that written permission be obtained from the Tax Commissioner before certain assets of a decedent may be transferred to another person. Therefore, no consent to transfer forms or tax waiver forms need to be prepared or filed for transfers of assets belonging to individuals who died on or after January 1, 2013.

#### **Tax Release / Inheritance Tax waiver forms – still required for estates of individuals with a date of death prior to January 1, 2013**

For estates in which the decedent has a date of death prior to January 1, 2013 and asset accounts with a value of greater than \$25,000 per account, the tax commissioner still requires the filing of an Application for Consent to Transfer Property of a Resident or Nonresident Decedent, or Application for Consent to Transfer the Proceeds of Insurance Contracts, Employer Death Benefits and Retirement Plans for Resident and Nonresident Decedents .

Please note, tax release forms / inheritance tax waiver forms are not required to be obtained in instances in which the assets are passing to a surviving spouse alone, regardless of the dollar amount.

If you have any questions, please call the Estate Tax Unit of the Ohio Department of Taxation at 1-800-977-7711.