



Individual Income Tax and School District Income Tax Updates – January 2024

Federal Law Change Affecting Military Servicemembers and Civilian Spouses for Tax Year 2023 and Forward

A change in federal law, H.R. 7939 the Veterans Auto and Education Improvement Act of 2022, made changes affecting the residency of military servicemembers and their civilian spouses. Effective for tax year 2023 and forward, servicemembers and their civilian spouses can elect to use any of the following as their residence for state income tax purposes:

- The residence or domicile of the servicemember;
- The residence or domicile of the spouse; OR
- The permanent duty station of the servicemember.

The servicemember and civilian spouse make this election with the Ohio Department of Taxation (“ODT”) simply by filing the Ohio IT 1040 or IT 10 and reporting their residency status. The servicemember and civilian spouse should also complete an IT 4, Employee’s Withholding Exemption Certificate, and provide it to their employer before the start date of employment or in the event of any changes.

Absent this election, servicemembers and their civilian spouses can use the following resources to determine their residency status:

- [Page 10](#) of the 2023 Individual and School District income tax instructions
- [Military frequently asked questions](#)
- [Information Release IT 2008-02](#) – “Ohio Taxable Income and Deductions for Servicemembers and Civilian Spouses”

Additionally, effective for tax year 2023 and forward, a civilian spouse is no longer required to have the same state of legal residence as the servicemember to retain the spouse’s original state of legal residence.

For more information on this change, see Public Law No. 117-333 and 50 U.S.C.A. §4001.

Taxpayers with additional questions regarding this subject may contact ODT by e-mail at Military-Info@tax.ohio.gov, or by calling 1-800-282-1780 (1-800-750-0750 for persons who use text telephones (TTYs) or adaptive telephone equipment).

School District Income Tax Update

ODT has redesigned the SD 100, School District Income Tax Return. Beginning in tax year 2023, all school district tax liabilities, payments, and withholding are reported on one return. In January 2024, ODT updated lines 33 through 36 of the SD 100 return and instructions. The updated SD 100 return and instructions are available at tax.ohio.gov/forms.

Ohio Department of Taxation

Individual and School District Income Tax

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