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Development Incentives Quarterly: Fall 2023

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In this edition of *Development Incentives Quarterly*, [Scott Ziance](#), a partner with Vorys and chair of the firm's national economic development incentives practice, sat down with Andy Weeks, VanTrust's executive vice president of development, to discuss VanTrust earning the national "Developer of the Year" award from NAIOP, the Commercial Real Estate Development Association, and the company's development and growth strategies.

Weeks leads the VanTrust Columbus office and all phases of the real estate development process for VanTrust in the Ohio Valley region, which includes Cincinnati, Louisville and Indianapolis; and upstate South Carolina. His responsibilities include project feasibility, market analysis, site acquisitions, entitlements and design/construction oversight for new build-to-suit, speculative office, industrial, mixed-use, retail, hospitality and multifamily opportunities.

Extensions and Employment Standard Changes: Understanding Updates to Ohio's Qualified Energy Project Tax Exemption

One of the most important incentives in Ohio law to promote renewable energy projects arises under Ohio Revised Code (R.C.) Section 5727.75 (the QEP Statute), which enables certain renewable energy projects to be certified by the Ohio Department of Development (ODOD) as qualified energy projects (QEPs) and receive a real and personal property tax exemption in exchange for paying a PILOT (defined below). In order to receive the QEP exemption, the owner or lessee of a qualified energy project is required to meet certain conditions under the statute, including the obligation to make annual service payments in lieu of taxes (PILOTs).[i] As a practical matter, the QEP exemption is currently used to primarily support solar energy projects in Ohio, although wind projects can also qualify.

Applications Opened December 5, 2023 for Ohio Brownfield Remediation Program

On July 4, 2023, Ohio Governor Mike DeWine signed Amended Substitute House Bill 33 (H.B. 33 or the Budget Bill), which creates the biennial budget for state fiscal years (SFY) 2024-2025 (July 1, 2023-June 30, 2025). The Budget Bill amended section 122.6511 of the Ohio Revised Code and provides the Ohio Department of Development (Development) \$350,000,000 for the Brownfield Remediation Program (Brownfield Program) over the two years of the biennium.

About *Development Incentives Quarterly*: We at Vorys are continually educating ourselves regarding economic development incentives, including tax credit changes and opportunities. We created the Development Incentives Quarterly to provide you relevant information that you need in the changing landscape of this area. Our economic development incentives clients include developers, political subdivisions and growing businesses, so you'll see information from a variety of perspectives. That diverse perspective has allowed us to grow to be one of the largest economic development incentives practices in the state of Ohio. As we've grown, we have also expanded our geographic reach and now advise on projects across the country.