

*** DRAFT - NOT YET FILED ***

5703-41-02

Joint economic development zones and joint economic development districts.

(A) As used in this rule:

- (1) "Agreement" means an agreement required by division (H)(4) of section 715.691, division (F)(5) of section 715.70, division (G) of section 715.71, or division (F)(5)(c) of section 715.72 of the Revised Code, between the board of directors of a JEDD or JEDZ and a qualifying municipal corporation to administer, collect, and enforce the income tax on behalf of a JEDD or JEDZ.
- (2) "Contract" means a contract creating a joint economic development district entered into under section 715.70, 715.71, or 715.72 of the Revised Code, or a contract creating a joint economic development zone entered into under section 715.691 of the Revised Code.
- (3) "JEDD" means a joint economic development district that levies an income tax under section 715.70, 715.71, or 715.72 of the Revised Code.
- (4) "JEDZ" means a joint economic development zone that levies an income tax under section 715.691 of the Revised Code.
- (5) "Map of the JEDD or JEDZ" means a description of the area or areas included in the JEDD or JEDZ, including a map in sufficient detail to denote the specific boundaries of the area or areas, and the parcel number of any parcel located within the boundaries of the JEDD or JEDZ which is excluded from the JEDD or JEDZ.
- (6) "Qualifying municipal corporation" is any municipal corporation other than a JEDD or JEDZ.
- (7) "Tax collections" means any amount collected pursuant to sections 718.80 to 718.95 of the Revised Code and distributed under section 718.83 of the Revised Code.

(B) The board of directors of each JEDD and JEDZ shall provide to the tax commissioner a copy of the contract, map of the JEDD or JEDZ, and any amendments to the contract, as follows:

- (1) The board of directors of each JEDD and JEDZ shall provide a copy of the signed contract and a map of the JEDD or JEDZ within thirty days of the effective date of this rule, or within thirty days of the effective date of the contract, whichever comes later.
- (2) The board of directors of each JEDD and JEDZ shall provide a copy of any signed amendment to the contract within thirty days of the effective date of this rule, or within thirty days of the effective date of such amendment, whichever comes later.

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(C) The board of directors of each JEDD and JEDZ shall notify the tax commissioner if a contract is renewed, terminated, or canceled, or if any change is made to the map of the JEDD or JEDZ, at least thirty days prior to the effective date of the renewal, termination, cancelation, or change.

(D) The board of directors of each JEDD and JEDZ shall notify the tax commissioner which qualifying municipal corporation is charged with administering, collecting, and enforcing the municipal net profit tax on behalf of the JEDD or JEDZ and provide to the tax commissioner a copy of the agreement, and any amendments to the agreement, as follows:

(1) The board of directors of each JEDD and JEDZ shall notify the tax commissioner and provide a copy of the signed agreement within thirty days of the effective date of this rule, or within thirty days of the effective date of the agreement, whichever comes later.

(2) The board of directors of each JEDD and JEDZ shall provide a copy of any signed amendment to the agreement within thirty days of the effective date of this rule, or within thirty days of the effective date of such amendment, whichever comes later.

(E) For each JEDD and JEDZ, the tax commissioner shall distribute tax collections according to section 718.83 of the Revised Code to the qualifying municipal corporation identified by the board of directors of each JEDD or JEDZ as the qualifying municipal corporation charged with administering, collecting, and enforcing the municipal net profit tax under the agreement provided under paragraph (D) of this rule. The qualifying municipal corporation receiving such distribution of tax collections on behalf of a JEDD or JEDZ shall distribute the tax collections in accordance with the applicable JEDD or JEDZ contract. The tax commissioner is not responsible for any delayed or errant distribution of tax collections under this paragraph if the board of directors of a JEDD or JEDZ fails to timely provide information required by this rule.

(F) Nothing in this rule affects the exchange of information between the tax commissioner and municipal corporations under sections 718.80 to 718.95 of the Revised Code. Information provided by the tax commissioner to each JEDD and JEDZ shall be provided to the persons identified under division (D) of section 718.84 of the Revised Code.

(G) The board of directors of each JEDD and JEDZ shall provide information to the tax commissioner required by this rule in accordance with guidance published by the tax commissioner on the Ohio Department of Taxation's website at <http://www.tax.ohio.gov>.