



Department of Taxation

Joseph W. Testa, Tax Commissioner

Issued: January 10, 2014

Individual Income Tax - Information Release

IT 2014-01 - Modification to Non-Resident Personal Income Tax Nexus “Safe Harbor” - Issued January 10, 2014

The Ohio Department of Taxation has modified *Information Release PIT 2001-01, Personal Income Tax Nexus Standards, September 2001*. This information release describes the standards the Department of Taxation will apply to determine whether a nonresident is subject to Ohio’s personal income tax. Prior to this modification, page 6, section IV, items O and P of the release stated the following:

O. The nonresident has a presence in this state for no more than seven days, which need not be consecutive, in a calendar year and the nonresident’s activities in Ohio generate no more than \$2,500 in gross income in that same calendar year;

P. The nonresident participates in one or more trade shows in this state as an exhibitor provided that the nonresident does not have employees present in this state for more than seven days in a calendar year and the nonresident’s activities in Ohio generate no more than \$2,500 in gross income in that same calendar year;

Page 6, section IV, items O and P now state the following:

O. The nonresident has a presence in this state for no more than twenty days, which need not be consecutive, in a calendar year and the nonresident’s activities in Ohio generate no more than \$10,000 in gross income in that same calendar year;

P. The nonresident participates in one or more trade shows in this state as an exhibitor provided that the nonresident does not have employees present in this state for more than twenty days in a calendar year and the nonresident’s activities in Ohio generate no more than \$10,000 in gross income in that same calendar year;

Items O and P are two among a list of “safe harbor” activities cited in this information release where nexus with a nonresident might exist, but where the Department of Taxation will not

currently require the filing of a return and the payment of the personal income tax if a nonresident's only contacts with Ohio are limited to the contacts in the list. Except for section IV, item A, these "safe harbors" are not mandated by statutory or case law; rather, they are provided for the purposes of administrative convenience.

This personal income tax modification is effective for taxable years 2014 and forward.

Questions?

Taxpayers may visit www.tax.ohio.gov for more information. Questions may be submitted by clicking on the "Contact" link found at the top right of the page and then choosing the "Email Us" option. Taxpayers with additional questions regarding this subject may contact Individual Income Taxpayer Services at 1-800-282-1780.