



Ohio Administrative Code Rule 5703-29-18 Records retention requirements.

Effective: December 16, 2024

(A) Pursuant to the authority granted under section 5751.12 of the Revised Code, the tax commissioner hereby promulgates a rule that establishes a record retention policy for purposes of the commercial activity tax. Under that section, the commissioner may identify certain records that are necessary for a person to maintain in order to show whether, and the extent to which, that person is subject to the tax imposed by Chapter 5751. of the Revised Code.

(B) For purposes of determining gross receipts under division (F) of section 5751.01 of the Revised Code, all persons subject to the tax imposed under section 5751.02 of the Revised Code will keep and maintain primary and supporting records including but not limited to the following: sales journals, financial statements, charts of accounts, cash journals, annual reports, general ledgers, income statements and tax returns, and invoices. In addition, all persons will maintain organizational structures that reflect ownership and control percentages as they exist in each filing period.

(C) With regard to records concerning tax credits claimed by a taxpayer, persons will maintain records relating to such credits for a period of four years from the later of the filing of or the due date of the return covering the period in which the credit is claimed unless the commissioner either consents in writing to their earlier destruction or, by written order, extends the time period needed for retention.

(D) All persons making purchases will maintain the purchase records and make them available to the commissioner for inspection in accordance with the provisions in section 5751.12 of the Revised Code. Such records will be maintained for at least four years from the later of the filing of or the due date of the return covering the period in which the purchases were made.

(E) For purposes of divisions (E) and (I) of section 5751.033 of the Revised Code, any invoices or documents relating to the situsing of receipts from the sale of tangible personal property or from the sale of services will be maintained for at least four years from the later of the filing of or the due date of the return covering the period in which the sales were made.



(F) This rule also applies to all records discussed in information releases and/or administrative rules relating to the commercial activity tax. Pursuant to section 5751.12 of the Revised Code, all records will be maintained for a period of four years from the later of the filing of or the due date of the return covering the period to which the records relate unless the commissioner either consents in writing to their earlier destruction or, by written order, extends the time period needed for retention.