



Ohio Revised Code

Section 503.56 Tourism development districts.

Effective: October 17, 2019

Legislation: House Bill 166 - 133rd General Assembly

(A) As used in this section:

(1) "Tourism development district" means a district designated by a township under this section.

(2) "Territory of a tourism development district" means all of the area included within the territorial boundaries of a tourism development district.

(3) "Business" means a sole proprietorship, a corporation for profit, a pass-through entity as defined in section 5733.04 of the Revised Code, the federal government, the state, the state's political subdivisions, a nonprofit organization, or a school district. A business "operates within the proposed district" if the business would be subject to a tax levied in the proposed tourism development district pursuant to division (C) of section 5739.101 of the Revised Code.

(4) "Owner" means a partner of a partnership, a member of a limited liability company, a majority shareholder of an S corporation, a person with a majority ownership interest in a pass-through entity, or any officer, employee, or agent with the authority to make decisions legally binding upon a business. The signature of any owner of a business operates as the signature of the business.

(5) "Eligible township" means a township wholly or partly located in a county having a population greater than three hundred seventy-five thousand but less than four hundred thousand that levies taxes under section 5739.021 or 5739.026 of the Revised Code, the aggregate rate of which does not exceed one-half of one per cent on September 29, 2015.

(B)(1) The board of trustees of an eligible township, by resolution, may declare an unincorporated area of the township to be a tourism development district for the purpose of fostering and developing tourism in the district if all of the following criteria are met:

(a) The district's area does not exceed six hundred acres.



(b) All territory in the district is contiguous.

(c) Before adopting that resolution or ordinance, the board holds at least two public hearings concerning the creation of the tourism development district.

(d) Before adopting the resolution or ordinance, the board receives a petition signed by every record owner of a parcel of real property located in the proposed district and the owner of every business that operates in the proposed district.

(e) The board adopts the resolution on or before December 31, 2020.

(2) The petition described in division (B)(1)(d) of this section shall include an explanation of the taxes and charges that may be levied or imposed in the proposed district.

(3) The board shall certify the resolution to the tax commissioner within five days after its adoption, along with a description of the boundaries of the district authorized in the resolution. That description shall include sufficient information for the commissioner to determine if the address of a vendor is within the boundaries of the district.

(4) Subject to the limitations of division (B)(1)(a) and (b) of this section, the board of trustees of an eligible township may enlarge the territory of an existing tourism development district in the manner prescribed for the creation of a district under divisions (B)(1) to (3) of this section, except that the petition described in division (B)(1)(d) of this section must be signed by every record owner of a parcel of real property located in the area proposed to be added to the district and the owner of every business that operates in the area proposed to be added to the district.

(C) For the purpose of fostering and developing tourism in a tourism development district, a lessor leasing real property in a tourism development district may impose and collect a uniform fee on each parcel of real property leased by the lessor, to be paid by each of the person's lessees. A lessee is subject to such a fee only if the lease separately states the amount of the fee. Before a lessor may impose and collect such a fee, the lessor shall file a copy of such lease with the fiscal officer of the township that designated the tourism development district. A lessor that imposes such a fee shall



remit all collections of the fee to the fiscal officer of the township in which the real property is located.

The board shall establish all regulations necessary to provide for the administration and remittance of such fees. The regulations may prescribe the time for payment of the fee, and may provide for the imposition of a penalty or interest, or both, for late remittances, provided that the penalty does not exceed ten per cent of the amount of fee due, and the rate at which interest accrues does not exceed the rate per annum prescribed pursuant to section 5703.47 of the Revised Code. The regulations shall provide, after deducting the real and actual costs of administering the fee, that the revenue be used exclusively for fostering and developing tourism within the tourism development district.

(D) The board of trustees of an eligible township that has designated a tourism development district under this section may levy one or both of the taxes authorized under section 503.57 or 5739.101 of the Revised Code. If the board does not levy a tax under section 5739.101 of the Revised Code, the board may enter into and enforce agreements imposing a development charge under section 503.58 of the Revised Code.

(E) On or before the first day of each January and July, beginning after the designation of the tourism development district, the fiscal officer of the township shall certify a list of vendors located within the tourism development district to the tax commissioner, which shall include the name, address, and vendor's license number for each vendor.