

>> SALT BRIEFS UPDATE

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Ohio - Sales Tax Electronic Filing Requirement

Beginning in 2009 all vendors will be required to electronically file their Ohio sales tax returns. The Department is offering three ways to file sales tax returns electronically.

- **The Ohio Business Gateway:** In addition to conducting a number of common government transactions, taxpayers can use this site to electronically file their sales tax returns. One of the features of the site is it allows taxpayers to post date electronic checks and credit card payments until the tax is due. The site is adding a new file upload and full UST-1 filing capabilities designed to cut down or eliminate on-line data entry.
- **E-Forms:** Taxpayers can complete an Adobe Acrobat version of Ohio's sales and use tax forms. Taxpayers will have the option of remitting payment by credit card, electronic check or paper check.
- **TeleFile:** The Department will allow small business owners with a regular single county vendor's license to file via the TeleFile system. Taxpayers can pay using credit card or electronic check. The TeleFile system can be accessed by calling 1-800-697-0440.

The first mandatory electronic returns are due for monthly filers on February 23, 2009 and on July 23, 2009 for semi-annual filers. Additional information on the different electronic filing methods can be obtained on the Ohio Department of Taxation's web site at www.tax.ohio.gov. ■

New York Offers Voluntary Disclosure and Compliance Program

The State of New York recently passed legislation that establishes the Voluntary Disclosure and Compliance (VDC) program. The program is designed to encourage all eligible taxpayers with a tax liability regardless of reason, including fraudulent or criminal conduct, to come forward and resolve all tax obligations. Taxpayers must sign an agreement with the Tax Department requiring them to correct past behavior, comply with the tax law in the future and remit all past due tax obligations.

Eligible participants in the program will have protection from possible criminal tax prosecution and civil penalties. Disclosures made by taxpayers under the program are confidential and cannot be used against them by the Tax Department or any other agency unless the taxpayer intentionally fails to comply with the agreement.

The VDC program defines an eligible taxpayer as an individual or entity subject to an eligible tax who meets all the following criteria:

- The taxpayer is not currently under audit by the Tax Department for any tax.
- The taxpayer is voluntarily disclosing a New York tax liability that the Tax Department has not determined,

calculated, researched or identified at the time of disclosure.

- The taxpayer is not currently a party to any criminal investigation being conducted by any agency or political subdivision of New York State.
- The taxpayer is not seeking to disclose participating in a tax avoidance transaction that is a federal or New York State reportable or listed transaction commonly referred to as tax shelters.

The application process requires the taxpayer to submit an application providing taxpayer identifying information and a disclosure statement describing the tax liability and related tax periods. In addition, applicants are required to provide any additional information that the tax commissioner deems necessary.

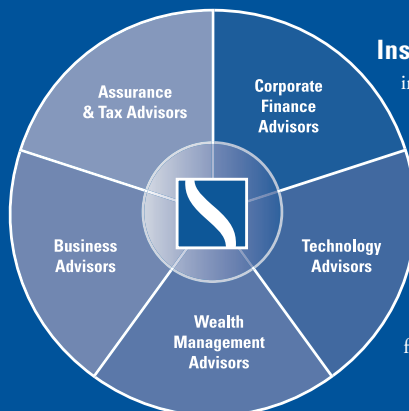
Upon receipt of the application, the Tax Department will determine the taxpayer's eligibility for the program. The Tax Department claims that no application will be denied solely because the taxpayer has admitted that the tax liability is the result of willful or fraudulent conduct.

Additional information about the VDC program can be obtained from the Tax Department's web site at www.nystax.gov. ■

For more information about any of these tax issues, contact:

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