Economic Development Corp.

Re: LSA Document # 26-311 Regulatory Analysis-Small Business Economic Impact Statement

Bruce R. Kolb

Senior Counsel

Indiana Department of Revenue

Dear Mr. Kolb,

Pursuant to Indiana Code 4-22-2.1-5(c)(2), as the Small Business Ombudsman for the state of Indiana, I have reviewed the proposed rule and economic impact analysis associated with the rule changes contained in LSA Document # 26-311 submitted to the Indiana Small Business Ombudsman by the Indiana Department of Revenue. I have found the following to be true.

Proposed rule LSA #26-311 amends 45 Indiana Administrative Code (IAC) 3.1 to remove outdated language, simplify general language throughout the rules, and clarify how the Indiana Department of Revenue determines the applicability of gross income tax. Examples include, changing the time period for which a return claiming excess withholding must be filed from two years to three years from the due date, updates list of states for which credit is allowed for taxes paid, and updates capital gains and losses as it pertains to the sale to tangible personal property and allocation to Indiana.

The Indiana Department of Revenue knows how implementation must be carried out to ensure compliance to minimize those potential impacts to small businesses and individuals. Based upon this statement and review, the Indiana Small Business Ombudsman is neutral of the proposed rule related to the economic impact on small business if the conclusion reflects the actual result after promulgation. If there are any questions about these comments, please contact me at ombudsman@iedc.in.gov.

Sincerely,

Caleb Wakeman

Small Business Ombudsman

Indiana Economic Development Corporation