

631.

APPROVAL, NOTES OF SCHOOL DISTRICTS IN CLERMONT, MEIGS
AND VINTON COUNTIES.

COLUMBUS, OHIO, June 16, 1927.

Retirement Board, State Teachers' Retirement System, Columbus, Ohio.

632.

FRANCHISE TAX—A FOREIGN CORPORATION ORGANIZED FOR THE PURPOSE OF PURCHASING, IMPROVING AND SELLING LAND OUTSIDE OF OHIO, AND WHICH KEEPS ITS CASH, RECORDS, ETC., AND EXECUTES CONVEYANCES FOR FOREIGN REAL ESTATE, IN OHIO AND HOLDS DIRECTORS' MEETINGS IN OHIO, IS LIABLE FOR FRANCHISE TAX.

SYLLABUS:

Under the provisions of Enacted Amended Substitute Senate Bill No. 22, a foreign corporation organized for the purpose of purchasing, improving, and selling a tract of land outside of Ohio, and which keeps all of its cash, notes, papers and records, and executes conveyances for parcels of its foreign real estate, in Ohio and holds its directors' meetings in Ohio, is liable for the payment of the franchise tax.

COLUMBUS, OHIO, June 17, 1927.

The Tax Commission of Ohio, Columbus, Ohio.

GENTLEMEN:—This will acknowledge receipt of your recent communication which reads:

“The X company was organized under the laws of Virginia for the purpose of purchasing, improving and selling a tract of land in that state and has never been admitted to do business in Ohio. All of its stockholders, directors and officers (with one exception) are residents of Ohio, the exception being a resident of New York. All the cash, notes, papers and records of the company are kept in Ohio. The only other property consists of the unsold portions of the land in Virginia. Negotiations for the sales of land are conducted by an agent in Virginia, the conveyances being executed in Ohio. The annual meeting of the stockholders, attended almost entirely by proxy, is also held in Virginia. Few, if any, meetings of directors are held. When so held they are most informal and are in Ohio.

Is the company liable for franchise tax in this state under the new franchise tax law?”