

\*\*\* DRAFT - NOT YET FILED \*\*\*

4123-17-15.2

**Registration and reporting requirements.**

(A) The PEO shall register with the bureau not later than thirty days after the formation of the PEO. A PEO operating in this state shall register annually with the administrator.

(1) The PEO shall submit an initial registration fee as set forth in the appendix to this rule with its initial application. The PEO shall submit an annual renewal fee as set forth in the appendix to this rule to the bureau on or prior to December thirty-first of each year.

(2) The PEO shall submit the following information when registering with the bureau:

(a) A list of each of the PEO's client employers current as of the date of registration for purposes of initial registration or current as of the date of annual registration renewal, or within fourteen days of adding or releasing a client, that includes the client employer's name, address, federal tax identification number, and bureau of workers' compensation risk number;

(b) The name or names under which the PEO conducts business;

(c) The address of the PEO's principal place of business and the address of each office it maintains in this state;

(d) The PEO's taxpayer or employer identifications number;

(e) A list of each state in which the PEO has operated in the preceding five years, and the name, corresponding with each state, under which the PEO operated in each state, including any alternative names, names of predecessors, and if known, successor business entities;

(f) A list of all corporate officers of the PEO;

(g) A list of all related corporate entities;

(h) The most recent financial statement prepared and audited in accordance with rule 4123-17-15.4 of the Administrative Code. Such financial statement must be no older than thirteen months at the time it is submitted to the bureau;

(i) An attestation of the accuracy of the data submissions from the chief executive officer of the PEO;

(j) Security as required under rule 4123-17-15.3 of the Administrative Code.

(B) No later than June thirtieth and December thirty-first of each year, the PEO shall provide a semi-annual report of its client employers and total workforce to the bureau.

(C) A PEO reporting entity that will complete the financial reporting requirements of this chapter for commonly owned or controlled PEOs must register with the bureau and pay an initial registration fee as set forth in the appendix to this rule.

(1) The PEO reporting entity submit the following information when registering with the bureau:

(a) A list of each of the PEOs for which the PEO reporting entity will complete financial reporting requirements;

(b) The name or names under which the PEO reporting entity conducts business;

(c) The address of the PEO reporting entity's principal place of business and the address of each office it maintains in this state;

(d) The PEO reporting entity's taxpayer or employer identification number;

(e) A list of all corporate officers of the PEO reporting entity;

(f) The most recent financial statement prepared and audited in accordance with the appendix to this rule. Such financial statement must be no older than thirteen months at the time it is submitted to the bureau;

(g) Security as required under rule 4123-17-15.3 of the Administrative Code; and

(h) An attestation of the accuracy of the data submissions from the chief executive officer of the PEO reporting entity.

(2) The PEO reporting entity must renew such registration and pay an annual renewal fee as set forth in the appendix to this rule no later than December thirty-first of each year.

(D) The administrator may grant limited registration to a PEO for reasons specified by the administrator in the certificate of limited registration if the PEO provides all of the following items:

(1) A properly executed request for limited registration on a form prescribed by the bureau;

- (2) A limited registration fee as set forth in the appendix to this rule;
- (3) All information required for registration in paragraphs (A)(2)(a) to (A)(2)(i) of this rule; and
- (4) Information and documentation necessary to show that the PEO satisfies all of the following criteria:

  - (a) The PEO is domiciled outside of Ohio and does not maintain an office in the state;
  - (b) The PEO is licensed or registered as a PEO in another state;
  - (c) The PEO does not participate in direct solicitations for client employers located or domiciled in Ohio; and
  - (d) The PEO has fifty or fewer shared employees employed or domiciled in Ohio on any given day. For purposes of this paragraph, a PEO is not domiciled outside of Ohio if a commonly owned or otherwise related corporate entity is domiciled in Ohio or maintains an office in the state.
- (5) The administrator may require security of the limited registration PEO pursuant to rule 4123-17-15.3 of the Administrative Code.
- (E) The bureau shall maintain a list of PEOs and PEO reporting entities registered under this rule that is readily available to the public.
- (F) Except to the extent necessary for the administrator to administer the statutory duties of the administrator and for employees of the state to perform their official duties, all records, reports, client lists, and other information obtained from a PEO or PEO reporting entity under this rule are confidential and shall be considered trade secrets and shall not be published or open to public inspection.

Effective:

R.C. 119.032 review dates:

---

Certification

---

Date

Promulgated Under:	119.03
Statutory Authority:	4121.12, 4121.121, 4121.30, 4123.05
Rule Amplifies:	4121.12