

Review of Senate Finance Amendment for S.241

- Relocate to title 32 (replace chapter 207 - copyrighted compositions?)
 - Title 32 general administrative provisions apply.
 - Makes clear that the Department of Taxes is responsible for collecting the tax.
 - Title 32 is the tax code.
 - 4542(a)- page 9 line 9. Refer to “sales price” as defined in 9701(4).
 - 4542(b)- Request a redraft of language to make clear that the excise tax is separate and in addition to other applicable taxes without inferring that sales tax is imposed on marijuana. The provision as written seems to suggest two legislative intents and conflicts with the sales tax exemption for marijuana.
 - Add reference to section 3203. Notice of deficiencies; assessment of penalties and interest; denial of refund.
 - Officer or agent language. Bottom of page 10. Change “duty” to “authority.”
 - Add reference to all provisions of chapter 233 of title 32 related to assessments, administration, enforcement, and appeals.
 - Section 9777 for determination of assessment. Assessment goes back three years.
 - Forbid bundled transactions.
 - Require a Tax License
 - Important for administrative tracking.
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Tax Licensure.

§ X. TAX REGISTRATION

(a) Every retailer required to collect the tax imposed by this chapter shall apply for a marijuana excise tax license in the manner prescribed by the Commissioner of Taxes. The Commissioner shall issue, without charge, to each registrant a license empowering him or her to collect the marijuana excise tax. Each license shall state the place of business to which it is applicable. The license shall be prominently displayed in the place of business of the registrant. The licenses shall be nonassignable and nontransferable and shall be surrendered to the Commissioner immediately upon the registrant's ceasing to do business at the place named. A license to collect marijuana excise tax shall be in addition to the licenses required by sections

9271 (meals and rooms tax) and 9707 (sales and use tax) of this title and any license required by the Department of Public Safety.

(b) The Department of Public Safety may require the Commissioner of Taxes to suspend or revoke the tax license of any person for failure to comply with any provision of this chapter.