

150-475B.710-(A)

Marijuana Tax: Registration of Medical Marijuana Dispensaries

(1) A medical marijuana dispensary that elects to sell limited marijuana retail products, as defined under section 2, chapter 784, Oregon Laws 2015, must register with the department as a marijuana tax collector. The department will assign a business identification number to each medical marijuana dispensary. Medical marijuana dispensaries must use the business identification number on all reports and payment vouchers filed with the department that are associated with the marijuana tax. A business identification number is required to schedule marijuana tax cash deposits or payments with the department.

(2) The department will make forms available for reports and payment vouchers for use by registered medical marijuana dispensaries in reporting and paying marijuana tax.

(3) A registered medical marijuana dispensary must notify the department in writing if the status of the medical marijuana dispensary changes including, but not limited to, ownership changes, address changes, or the medical marijuana dispensary no longer sells limited marijuana retail products.

(4) This rule is effective January 4, 2016.

Stat. Auth.: ORS 305.100, ORS 475B.710 (OR Laws 2015, Ch 699, §3)

Stats. Implemented: ORS 475B.710 (OR Laws 2015, Ch 699)

150-475B.710-(B)

Marijuana Tax: Deposit Due Dates

(1) A medical marijuana dispensary that elects to sell limited marijuana retail products, as defined in section 2, chapter 784, Oregon Laws 2015, must pay all marijuana taxes due for each tax period by the due dates described in section 3, chapter 699, Oregon Laws 2015 and this rule.

(2) A medical marijuana dispensary that elects to sell limited marijuana retail products on or after January 4, 2016 must pay the marijuana tax due in three monthly deposits for each calendar quarter. The first monthly deposit is due on or before the last day of the second month of the calendar quarter; the second monthly deposit is due on or before the last day of the third month of the calendar quarter; and the third monthly deposit is due on or before the last day of the month following the close of the calendar quarter.

(3) If a medical marijuana dispensary does not make any sales of limited marijuana retail products in a particular month of a calendar quarter, the medical marijuana dispensary is not required to remit payment of marijuana tax for that month.

Example: All tax calculations in this example exclude two percent of the taxes collected for dispensary administrative expenses as allowed by statute. It's Easy Being Green, LLC has \$300,000 in April sales resulting in tax liability of \$73,500 ($(\$300,000 \times .25) \times .98$) and the deposit of the tax is due on or before May 31. The dispensary's sales of \$250,000 in May result in tax liability of \$61,250 ($(\$250,000 \times .25) \times .98$) that is due on or before June 30. And the dispensary's sales of \$325,000 in June result in tax liability of \$79,625 ($(\$325,000 \times .25) \times .98$) that is due on or before July 31.

(4) This rule is effective January 4, 2016.

Stat. Auth.: ORS 305.100, ORS 475B.710 (OR Laws 2015, Ch 699, §3)

Stats. Implemented: ORS 475B.710 (OR Laws 2015, Ch 699)

150-475B.710-(C)

Marijuana Tax: Cash Handling Procedures

(1) Definitions. For purposes of this rule, the following definitions apply:

(a) "Paper currency" means United States paper currency.

(b) "Faced" means United States paper currency presented facing portrait-side up.

(c) "Oriented" means United States paper currency presented so that the words on the bill are right-side up from the perspective of the reader.

(d) "Mutilated paper currency" has the same meaning as used under 31 CFR 100.5.

(e) "Mutilated coins" include bent coins, partial coins, fused coins, or mixed coins as defined under 31 CFR 100.11 and 31 CFR 100.12.

(f) "Contaminated currency" means any United States currency or coin that has been damaged by or exposed to contaminants, poses a health hazard or safety risk, and cannot be processed under normal operating procedures. Contamination may be caused by, but is not limited to:

(A) Floodwater or any prolonged exposure to water or other liquids;

(B) Exposure to blood, urine, feces, or any other bodily fluids, including removal from any body cavity, corpse, or animal;

(C) Exposure to sewage, mold, or mildew;

(D) Exposure to any foreign substance or chemical, including dye-packs, which may pose a health hazard or safety risk.

(2) A registered medical marijuana dispensary that elects to sell limited marijuana retail products on or after January 4, 2016 and remits the marijuana tax in cash must follow the cash handling requirements for paying the marijuana tax as set forth in this rule.

(3) A medical marijuana dispensary must contact the department and schedule an appointment to deliver marijuana tax cash deposits or payments. All marijuana tax cash deposits or payments must be delivered to the Oregon Department of Revenue's main building at 955 Center Street, NE, Salem, Oregon 97301. No cash deposits or payments will be accepted at any other location. Marijuana tax cash deposits or payments may not be remitted to the department via the United States Postal Service or any other mail courier.

(4) Marijuana tax cash deposits or payments must not be more than the exact amount due and must match the amount shown on the accompanying payment voucher required under section (7) of this rule.

(5) The department will accept no more than one dollar in United States coins for each marijuana tax cash deposit or payment.

(6) The department requires cash deposits or payments with paper currency for marijuana tax to be sorted by denomination, faced and oriented upon delivery. The department will not accept any mutilated paper currency, mutilated coins or contaminated currency for cash deposits or payments of marijuana tax.

(7) All marijuana tax cash deposits or payments must be accompanied by a completed payment voucher that shows the amount of marijuana tax being paid at the appointment.

(8) The department will provide a receipt to a medical marijuana dispensary for deposits or payments made in person at the Oregon Department of Revenue. The receipt will identify the amount of marijuana tax paid, the tax period to which the deposit or payment of marijuana tax will be applied, the name of the medical marijuana dispensary, the business identification number, and the date the deposit or payment was paid to the department.

(9) If the department calculates an amount of a cash deposit or payment of marijuana tax that does not match the amount asserted by a medical marijuana dispensary as being paid and the dispensary doesn't provide a receipt provided under section (8) of this rule, the department will

credit to the medical marijuana dispensary's tax account the amount determined by the department.

(10) This rule is effective January 4, 2016.

[Publications: Contact the Oregon Department of Revenue for information about how to obtain a copy of the publication referred to or incorporated by reference in this rule pursuant to ORS 183.360(2) and ORS 183.355(1)(b).]

Stat. Auth.: ORS 305.100, ORS 475B.710 (OR Laws 2015, Ch 699, §3)

Stats. Implemented: ORS 475B.710 (OR Laws 2015, Ch 699)