

Department's Responses to Questions and Comments Received for Proposed Changes to Tax Payment Regulations

The Department of Revenue ("Department" or "DOR") provides its response below to questions received. The responses are not binding on the Department for any position of law. Any final regulations will be adopted after consideration of the comments received.

1. Comment:

Marijuana is illegal federally and as a marijuana business owner and taxpayer I am concerned about additional scrutiny from the federal government.

DOR Response:

The objective of the department's tax payment regulations project is to provide all the department's taxpayers with modern payment options. By modernizing the department's regulations now, the department will be prepared in the event federal laws regulating marijuana and/or marijuana banking change in the future.

2. Question:

I can't get a bank account because I am in the cannabis industry. How can I do an ACH payment?

DOR Response:

There may not be options for ACH transfers if an individual or business does not have a bank account. The department's intent is to provide as many modern payment options as possible for all taxpayers. Taxpayers in the marijuana industry can continue to make cash payments.

3. Question:

Would the payment of taxes by ACH credit and debit transactions, credit cards, and wire transfers apply to taxpayers with the marijuana industry?

DOR Response:

Yes, the proposed regulations would apply to all tax programs administered by the department, including marijuana tax.

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4. Question:

Why is this sort of change better for everyone and why it's being made now?

DOR Response:

This change allows for more payment options for all the department's taxpayers. The department recently evaluated payment options for all taxpayers and realized current regulations prohibit the department from accepting certain payment types. For example, credit card payments are currently only accepted for delinquent taxes. The department is pursuing regulatory changes now to broaden and modernize payment options. The changes are also intended to help marijuana taxpayers by providing them with additional payment options.