

**Illinois Department of Revenue
Regulations**

Title 86 Part 423 Section 120 Collection of Tax

**TITLE 86: REVENUE
CHAPTER I: DEPARTMENT OF REVENUE**

**PART 423
CANNABIS PURCHASER EXCISE TAX**

Section 423.120 Collection of Tax

- a) *The Tax imposed by the Law shall be collected from the purchaser by the cannabis retailer at the rate stated in Section 423.110 with respect to cannabis sold by the cannabis retailer to the purchaser, and shall be remitted to the Department as provided in Section 423.130. All sales to a purchaser who is not a cardholder under the Compassionate Use of Medical Cannabis Program Act are presumed subject to Tax collection. Cannabis retailers shall collect the Tax from purchasers by adding the Tax to the amount of the purchase price received from the purchaser for selling cannabis to the purchaser. [410 ILCS 705/65-15]*

- b) *When a cannabis retailer collects the Tax from the purchaser, the cannabis retailer shall give the purchaser a receipt. The receipt must show the name and address of the cannabis retailer, the date of the purchase, a brief description of the property sold, the amount of the purchase price on which the Tax is based, and the amount of Tax collected stated as a distinct item separate and apart from the purchase price of the property sold.*

- c) *If a cannabis retailer collects the Tax measured by a purchase price that is not subject to the Tax, or if a cannabis retailer, in collecting the Tax measured by a purchase price that is subject to the Tax, collects more from the purchaser than the required amount of the Tax on the transaction, the purchaser shall have a legal right to claim a refund of that amount from the cannabis retailer. If, however, that amount is not refunded to the purchaser for any reason, the cannabis retailer is liable to pay that amount to the Department.*

- d) *Any person purchasing cannabis subject to the Tax as to which there has been no charge made to him or her of the Tax shall make payment of the Tax in the form and manner provided by the Department not later than the 20th day of the month following the month of purchase of the cannabis. [410 ILCS 705/65-15]*

(SOURCE: Adopted at 44 Ill. Reg.10751, effective June 02, 2020.)