

**Illinois Department of Revenue
Regulations**

Title 86 Part 425 Section 100 Nature of the Tax

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

**PART 425
MUNICIPAL CANNABIS RETAILERS' OCCUPATION TAX**

Section 425.100 Nature of the Tax

- a) The corporate authorities of any municipality may, by ordinance, impose a tax upon all persons engaged in the business of selling cannabis, other than cannabis purchased under the Compassionate Use of Medical Cannabis Program Act [410 ILCS 130], at retail in the municipality. The Tax is imposed on the cannabis retailer.
- b) Persons subject to any Tax imposed under the Law may reimburse themselves for their seller's tax liability under the Law by separately stating the Tax as an additional charge. That charge may be stated in combination (in a single amount) with any State or local tax administered by the Department that sellers are required to collect.
- c) *The Tax imposed under the Law and all civil penalties that may be assessed as an incident of the Tax shall be collected and enforced by the Department of Revenue. [65 ILCS 5/8-11-23]*

(SOURCE: Adopted at 44 Ill. Reg.10790, effective June 02, 2020.)