

Instructions for Form 5676 2022 Marihuana Retailers Excise Tax Quarterly Return

IMPORTANT: This return is for reporting Marihuana Tax. Every provisioning center licensed under the Michigan Regulation and Taxation of Marihuana Act (MRTMA) must file this quarterly return to report Retail Marihuana sales and remit the tax levied upon them by the MRTMA. For more information, see Revenue Administrative Bulletin (RAB 2019-17), available at www.michigan.gov/taxes. If the taxpayer inserts a zero on any line for reporting Marihuana Excise Tax, the taxpayer is certifying that no tax is owed for that tax type. If it is determined that tax is owed, the taxpayer will be liable for the deficiency as well as penalty and interest.

DUE DATE: This return is due on the 20th day of the month following the quarter being reported.

NOTE: Locations cannot be added using this form. You must access the Maintain Locations page within Michigan Treasury Online (MTO).

FILING THE RETURN

Quarterly Retail Marihuana Sales for location(s): For each location, enter the retail Marihuana sales for the quarter. The Michigan Regulation and Taxation of Marihuana Act does limit the imposition of its tax to marihuana or marihuana-derived products.

MARIHUANA EXCISE TAX SUMMARY

Line 1 Quarterly Retail Marihuana Sales: This is calculated by MTO. It is the sum of Quarterly Retail Marihuana Sales for all locations.

Line 2 Total Exempt Medical Marihuana Sales: Enter medical marihuana sales to registered qualifying patients.

Line 3 Total Exempt Sales to other Marihuana Establishments: Enter exempt sales to other licensed marihuana establishments. A licensed marihuana establishment includes a marihuana grower, safety compliance facility, processor, microbusiness, retailer, secure transporter, or any other type of marihuana-related business licensed by LARA. To substantiate resale exemptions for this tax, retain in your records the name and license number of the purchaser.

Line 4 Tax Due: This is calculated by MTO. It is the sum of all tax due for all locations minus any reported exemptions multiplied by 10% (.10).

Line 5 Penalty: Enter the amount of penalty due for the late payment.

Line 6 Interest: Enter the amount of interest due for late payment.

Line 10 Overpayment: Enter any payments submitted for this period prior to filing the return or any overpayment from prior periods. Liability minus prior/overpayments must be greater than or equal to zero. When claiming a prior/overpayment, enter only the amount needed to pay the total liability for this return. In the event an overpayment still exists, declare it on the next return reporting a tax liability.

Payment Due: Make check payable to “State of Michigan.” Write the **account number**, “MRE Quarterly” and the **return period** on the check. Do not pay if the amount due is less than \$1. If paying by cash or check at a Treasury field office or LARA payment center, provide a complete *Marihuana Retailers Excise Tax Payment Voucher* (Form 5677). Cash payments in excess of \$2,000 will be accepted at the LARA payment center only.

AMENDING THE RETURN

For instructions to amend the return, see the Amend and Pay page in MTO.

HOW TO COMPUTE PENALTY AND INTEREST

If the return is filed late with tax due, include penalty and interest with the payment. Penalty is 5% of the tax due and increases by an additional 5% per month or fraction thereof, after the second month, to a maximum of 25%. Interest is charged daily using the average prime rate, plus 1 percent.