AGENDA

I. CALL TO ORDER

II. ROLL CALL

III. PLEDGE OF ALLEGIANCE

IV. PUBLIC COMMENT

V. ITEM FOR CONSIDERATION AND POSSIBLE ACTION
   1. Ordinance #19-14 – Establishing Cannabis Retailers’ Occupation Tax (att)

VI. ADJOURNMENT
ORDINANCE NO. 19-14

ORDINANCE ESTABLISHING
A MUNICIPAL CANNABIS RETAILERS’ OCCUPATION TAX
WITHIN THE CITY LIMITS OF MORRISON

WHEREAS, the Illinois legislature recently adopted the Cannabis Regulation and Tax Act, 410 ILCS 705/1-1 et. seq. (the “Act”), which legalizes the purchase, sale and use of cannabis for recreational purposes, to take effect on January 1, 2020; and

WHEREAS, in connection with the Act, a new statute entitled the “Municipal Cannabis Retailers’ Occupation Tax Law,” 65 ILCS 5/8-11-22, was enacted which authorizes the corporate authorities of any municipality to impose a tax upon all persons engaged in the business of selling cannabis at retail within the municipality, with such tax not to exceed three percent (3%) of the gross receipts from the foregoing sales; and

WHEREAS, the Mayor and City Council of the City of Morrison (collectively, the “Corporate Authorities”) have discussed the needs of the City with respect to the regulation of recreational cannabis and cannabis business establishments within the City limits, and the resulting taxation thereof; and

WHEREAS, the Corporate Authorities hereby find it in the best interests of the City and its residents to adopt and implement a tax upon the retail sale of cannabis within the City limits as more specifically set forth herein.

NOW, THEREFORE, be it ordained by the Mayor and City Council of the City of Morrison as follows:

SECTION 1: The preambles to this Ordinance are true and correct and are hereby incorporated into this Ordinance as if fully set forth herein.

SECTION 2: That Chapter 52 of the Morrison Municipal Code, as amended, be further amended by the addition of a new “Article VIII – Municipal Cannabis Retailers’ Occupation Tax,” to read as follows:

“ARTICLE VIII – MUNICIPAL CANNABIS RETAILERS’ OCCUPATION TAX

Sec. 52-139. – Tax Imposed.

(a) “Cannabis,” as used herein, shall have the meaning as defined in Section 1-10 of the Cannabis Regulation and Tax Act (410 ILCS 705/1-1 et. seq.).

(b) A tax is hereby levied and imposed upon all persons engaged in the business of selling cannabis at retail in the City, other than cannabis purchased under the Compassionate Use of Medical Cannabis Pilot Program Act, at a rate of three percent (3%) of the gross receipts from such sales made in the course of that business.
(c) Persons subject to the tax imposed by this article may reimburse themselves for their seller’s tax liability hereunder by separately stating that tax as an additional charge, which charge may be stated in combination, or in a single amount, with any state tax that sellers are required to collect.

Sec. 52-140. – Taxpayer’s Report.

Every person engaged in a business in the city taxed under this article shall file, on or before the deadline established by the Illinois Department of Revenue, all reports required by the Municipal Cannabis Retailers Occupation Tax Law (65 ILCS 5/8-11-22).

Sec. 52-141 – Payment to State Department of Revenue.

At the time a report is filed under Section 52-140, there shall be paid to the state department of revenue the amount of tax imposed by this article on account of the receipts from sales of cannabis at retail during the preceding month.”

SECTION 3: That, except as amended by this Ordinance, Chapter 52 of the Morrison Municipal Code shall remain in full force and effect as previously adopted and/or amended.

SECTION 4: This ordinance shall take effect beginning on January 1, 2020.

SECTION 5: The provisions and sections of this Ordinance shall be deemed to be separable and the invalidity of any portion of this ordinance shall not affect the validity of the remainder.

SECTION 6: The City Clerk is directed to publish this Ordinance in pamphlet form and to file a certified copy of this Ordinance with the Illinois Department of Revenue.

SECTION 7: The City Administrator and City Treasurer are authorized to execute all documents necessary, or requested, to facilitate collection and processing by the Illinois Department of Revenue.

SECTION 8: This Ordinance shall be in full force and effect from and after its passage and approval and publication as required by law.

Passed by the Mayor and the City Council of the City of Morrison on the _____ day of __________________________, 2019.

________________________________________
Mayor

ATTEST:

________________________________________
City Clerk