



2018 Revisions of Forms TPM-1 and TPM-2

Purpose: This Announcement publicizes the annual revision of the required forms that participating and nonparticipating tobacco products manufacturers must complete and file with either the Department of Revenue Services (DRS) or the Office of the Attorney General State of Connecticut (Attorney General), or both.

Effective Date: Upon issuance.

Statutory Authority: Conn. Gen. Stat. §§4-28h to 4-28n, inclusive.

Definitions: As used in this Announcement:

Cigarette means a cigarette, as defined in Conn. Gen. Stat. §4-28h(4). For purposes of this definition, each nine one-hundredths of an ounce of roll-your-own tobacco constitutes a cigarette. Also, for purposes of this definition, a small cigar properly treated as a cigarette for purposes of the federal excise tax on cigarettes (26 U.S.C. §5701(b)) shall be reported as a cigarette on **Form TPM-1, Certificate of Compliance and Affidavit by Nonparticipating Manufacturer**. However, a small cigar properly treated as a small cigar for purposes of the federal excise tax on cigars (26 U.S.C. §5701(a)(1)) shall not be reported as a cigarette on Form TPM-1.

Participating manufacturer (PM) has the same meaning as in section II(jj) of the Master Settlement Agreement (MSA).

Nonparticipating manufacturer (NPM) means any tobacco product manufacturer that is not a participating manufacturer.

Tobacco product manufacturer means a tobacco product manufacturer, as defined in Conn. Gen. Stat. §4-28h(11).

Master Settlement Agreement means the Master Settlement Agreement, as defined in Conn. Gen. Stat. §4-28h(6).

Qualified escrow fund means a qualified escrow fund, as defined in Conn. Gen. Stat. §4-28h(8).

March 2018 Revision of Quarterly Form TPM-1: Each NPM selling cigarettes to consumers within Connecticut, whether directly or through a distributor, dealer, or similar intermediary or intermediaries, must establish a qualified escrow fund for the benefit of the State of Connecticut, place the required amount of money into a qualified escrow fund, and file quarterly Form TPM-1.

With respect to each cigarette sold to consumers within Connecticut during a calendar quarter commencing on or after January 1, 2018, an NPM **must** use the quarterly Form TPM-1, which is due on or before the thirtieth day after the end of the quarter in which sales covered by the deposits are made. The quarterly Form TPM-1 has “Certification for Calendar Quarter” in the upper right-hand corner and allows for the NPM to designate the quarter for which the form is being filed.

DRS revises Form TPM-1 annually to specify the amount, as adjusted for inflation, required to be placed into a qualified quarterly escrow fund for the State of Connecticut by each NPM for each cigarette sold to consumers within Connecticut, whether directly or through a distributor, dealer, or similar intermediary or intermediaries.

Mailing of Form TPM-1 to NPMs: DRS mails the new revision of Form TPM-1 to each NPM whose cigarettes were reported by stampers to have been sold to consumers within Connecticut, whether directly or through a distributor, dealer, or similar intermediary or intermediaries, during calendar year 2017.

Failure to receive Form TPM-1 does not excuse an NPM from filing the form. See *Forms and Publications*, on Page 3.

Each NPM **must** file Form TPM-1, with notarized signatures by the NPM and the financial institution, on or before **April 30, 2018, July 30, 2018, October 30, 2018, and January 30, 2019**, respectively, to the following addresses:

Submit the original to:

Office of the Attorney General
Finance Department
PO Box 120
Hartford CT 06141-0120

Submit a copy to:

Department of Revenue Services
Tax Division Chief, Audit Division
Excise/Public Service Subdivision
450 Columbus Blvd Ste 1
Hartford CT 06103-1837

Inflation Adjustment for Amounts to be placed into Qualified Escrow Fund by NPMs on or before April 30, 2018, July 30, 2018, October 30, 2018, and January 30, 2019: With respect to an NPM whose cigarettes are sold to consumers within Connecticut, whether directly or through a distributor, dealer, or similar intermediary or intermediaries, during any calendar quarter of 2018, the amount of **\$0.0347539** per cigarette, or about \$6.95 per carton sold, **must** be placed into a qualified escrow fund for the State of Connecticut by the NPM on or before **April 30, 2018, July 30, 2018, October 30, 2018, and January 30, 2019**, respectively, for the preceding quarter.

March 2018 Revision of Form TPM-2: Each tobacco product manufacturer whose cigarettes are to be sold to consumers within Connecticut, whether directly or through a distributor, dealer, or similar intermediary or intermediaries, must file annually **Form TPM-2, Certification for Listing in the Connecticut Tobacco Directory**. DRS revises Form TPM-2 annually. PMs and NPMs **must** use the March 2018 revision of Form TPM-2 and not an earlier version. The March 2018 revision of Form TPM-2 has (*Rev. 03/18*) in the upper left-hand corner.

Visit the DRS website at www.ct.gov/DRS to download and print this form and the accompanying instructions. To find the form, select *Cigarette and Tobacco* from the menu on the left and then select *Forms for Participating and Nonparticipating Manufacturers*.

Mailing of Form TPM-2 to PMs and NPMs: DRS mails the new revision of Form TPM-2 to each PM and NPM:

- Whose cigarettes were reported by stampers to have been sold to consumers within Connecticut, whether directly or through a distributor, dealer, or similar intermediary or intermediaries, during calendar year 2017;
- Which has applied for and secured from DRS a cigarette manufacturer's license that is currently in effect; **or**
- Which, along with its brand families, is currently listed in the Connecticut Tobacco Directory.

Failure to receive Form TPM-2 does not excuse a PM or NPM from filing the form. Each PM and NPM that wishes to have its cigarettes listed in the Connecticut Tobacco Directory as of July 1, 2018, **must** file Form TPM-2 on or before **April 30, 2018**, to the following addresses:

Submit the original to:

Department of Revenue Services
Tax Division Chief, Audit Division
Excise/Public Service Subdivision
450 Columbus Blvd Ste 1
Hartford CT 06103-1837

Submit a copy to:

Office of the Attorney General
Finance Department
PO Box 120
Hartford CT 06141-0120

No Revisions of Form TPM-4: DRS is not revising **Form TPM-4, Notice of Appointment of Registered Agent and Registered Agent's Statement**. A NPM **and each of its importers**, if any, must use the March 2016 version of Form TPM-4, when appointing an agent for service of process in Connecticut. The March 2016 version of the form has a (*Rev. 03/16*) revision date in the upper left hand corner.

Effect on Other Documents: Announcement 2017(2), Annual Revision of Forms TPM-1, TPM-2, and TPM-4, is modified and superseded and may not be relied upon on or after the date of issuance of this Announcement.

Effect of This Document: Announcements alert taxpayers to new developments (other than newly enacted or amended Connecticut or federal laws or newly released judicial decisions), including new administrative positions, policies, or practices.

For Questions Regarding Form TPM-1: For questions regarding Form TPM-1, call the Attorney General at 860-808-5270, Monday through Friday, 8:00 a.m. to 5:00 p.m., or write to:

Office of the Attorney General
Finance Department
PO Box 120
Hartford CT 06141-0120

For Further Information on Form TPM-2: For further information on Form TPM-2, call the DRS Audit Division, Excise Taxes Unit at 860-541-3224 from 8:30 a.m. to 4:30 p.m., Monday through Friday.

For Further Information: Call DRS during business hours, Monday through Friday:

- **1-800-382-9463** (Connecticut calls outside the Greater Hartford calling area only); **or**
- **860-297-5962** (from anywhere).

TTY, TDD, and Text Telephone users only may transmit inquiries anytime by calling 860-297-4911.

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Forms and Publications: Visit the DRS website at www.ct.gov/DRS to download and print Connecticut tax forms and publications.

Paperless Filing/Payment Methods (fast, easy, free, and confidential): Business and individual taxpayers can use the **Taxpayer Service Center (TSC)** at www.ct.gov/TSC to file a variety of tax returns, update account information, and make payments online.

File Electronically: You can choose first-time filer information and filing assistance or log directly into the **TSC** to file returns and pay taxes.

Pay Electronically: You can pay taxes for tax returns that cannot be filed through the **TSC**. Log in and select the *Make Payment Only* option. Designate a payment date up to the due date of the tax and mail a paper return to complete the filing process.

DRS E-alerts Email Service: Get connected to the latest DRS news including new legislation, policies, press releases, and more. Visit the DRS website at www.ct.gov/DRS and select *Sign up for e-alerts* under *How Do I?* on the gold navigation bar.