

## QUESTIONS AND ANSWERS ON THE CONNECTICUT MARIJUANA AND CONTROLLED SUBSTANCES TAX

Effective October 1, 1991, the Connecticut General Assembly imposed a tax on the purchase, acquisition, transportation or importation into Connecticut of marijuana or controlled substances in violation of Connecticut law. This publication is intended to provide general information to law enforcement agencies concerning the marijuana and controlled substances tax imposed by Conn. Gen. Stat. §12-651 and explain the procedures for referring tax delinquency cases to the Department of Revenue Services (DRS).

### Q. On whom is this tax imposed?

- A. The Connecticut marijuana and controlled substances tax is imposed upon any dealer who acquires or is in possession of marijuana or controlled substances. **“Dealer”** means any person who, in violation of any provision of Connecticut law, manufactures, produces, ships, transports or imports into the state or in any manner acquires or possesses:
- ✓ more than 42.5 grams of marijuana; or
  - ✓ 7 or more grams of any controlled substance that is sold by weight; or
  - ✓ 10 or more dosage units of any controlled substance that is not sold by weight.

### Q. Does this tax apply to someone who is in lawful possession of marijuana or a controlled substance?

- A. No. Individuals who lawfully possess these drugs, such as by prescription, are not subject to the tax.

### Q. What is the tax rate?

- A. The tax depends on the drug type:
- *Marijuana* is taxed at \$3.50 per gram or portion thereof;
  - *Controlled substances sold by weight* are taxed at \$200 per gram or portion thereof;
  - *Controlled substances in tablet or capsule form* are taxed at \$2,000 for each 50 dosage unit or portion thereof.

### Q. What is proof of payment of the tax?

- A. All illicit drugs must have Connecticut tax stamps permanently affixed. The stamps come in two styles and have a unique six digit serial number. The green marijuana stamps are available in denominations of \$10 and \$500. The red controlled substances stamps are available in denominations of \$200 and \$10,000. The stamps can be purchased from DRS upon payment of their full face value and may be used only once.

### Q. Who may refer drug tax cases to DRS?

- A. Any law enforcement or criminal justice agency, including municipal police departments, the State Police, courts and federal agencies, may refer suspected cases of tax delinquency to DRS.

### Q. May a referral to DRS be made while a criminal case is pending against the dealer?

- A. Yes. The assessment and collection of the tax is a civil matter that is separate from the criminal case pending against a dealer. DRS can proceed immediately and may be successful in collecting the tax even if the criminal case does not end with a conviction.

### Q. What is the procedure for referring a case to DRS?

- A. DRS has provided referral forms to most law enforcement agencies. A sample referral form is attached to this publication.

### Q. What happens after a case is referred to DRS?

- A. DRS' Special Investigations Section (SIS) will conduct an investigation and take appropriate action to collect the tax due.

### Q. Does DRS arrest violators?

- A. No. However, any law enforcement officer with arrest authority for state crimes can arrest someone for possession of untaxed marijuana or controlled substances. The offense is a violation of Conn. Gen. Stat. §§12-652 and 12-660.

### Q. Why should cases be referred to DRS?

- A. Connecticut spends a large amount of money combatting the consequences of both the sale and use of illicit drugs. The marijuana and controlled substances tax allows the state to recover some of the costs associated with combatting the illegal sale and use of such drugs.

### Q. Will referring law enforcement agencies share in any recovered funds?

- A. Not directly. All revenue goes into the State's general fund, thereby reducing everyone's tax burden.

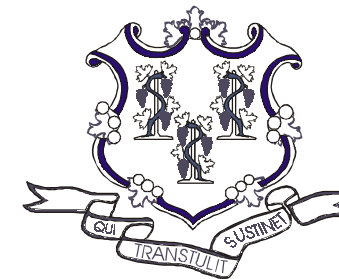
### Q. If a drug enforcement agency plans to use the state or federal drug asset forfeiture program, will it be in competition for these funds with DRS?

- A. DRS will not compete for assets subject to existing drug asset forfeiture programs. The Connecticut marijuana and controlled substances tax is designed to reach assets that would normally not be eligible for forfeiture.

### Q. Does evidence of payment of this tax make it legal to possess or sell illicit drugs?

- A. No. Evidence that a person has complied with the marijuana and controlled substances tax does not legalize the sale or possession of illicit drugs. Other state and federal laws prohibiting sale and possession of illicit drugs still apply.

**FOR FURTHER INFORMATION, CALL THE  
SPECIAL INVESTIGATIONS SECTION AT  
860-566-4914 or 860-297-5877**



# CONNECTICUT MARIJUANA AND CONTROLLED SUBSTANCES TAX

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## QUESTIONS AND ANSWERS FOR CRIMINAL JUSTICE AND LAW ENFORCEMENT AGENCIES

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State of Connecticut  
Department of Revenue Services

IP 99(20.1), issued: 8/6/99  
Replaces IP 99(20) which  
replaced IP 92(7.1), issued 3/14/97



**Form C&E-226**  
**Drug Tax Referral Form**

(Rev. 7/99)

*Return white and yellow copies to: Special Investigations Section,  
Collection & Enforcement Division*  
*Retain pink copy for police department records*  
For further information, call: 860-566-4914 or 860-297-5877

REPORTING AGENCY

**Big City Police Department**

ADDRESS

**123 Main St., Ourtown CT 01234**

PHONE NUMBER

**123-4567**

CONTACT NAME

**Officer I. Gottum**

DEFENDANT'S NAME

**John A. Smith**

DATE OF BIRTH

**12/ 14/ 75**

SOCIAL SECURITY NUMBER

**012-34-5678**

DEFENDANT'S MAILING ADDRESS

*Street/PO Box*

*Apt. No.*

*City*

*State*

*ZIP Code*

**123 Main ST., Ourtown CT 01234**

DEFENDANT'S CURRENT LOCATION IF NOT HOME (CORRECTIONAL CENTER, ETC.)

*Street/PO Box*

*Apt. No.*

*City*

*State*

*ZIP Code*

**Carl Robinson Correctional Center, PO Box 1400, Enfield CT 06082**

ARREST DATE OR DATE OF FIRST KNOWN POSSESSION

**5/15/99**

DRUG TYPE

**Cocaine & Marijuana  
& Valium**

MARIJUANA (GRAMS)

**500 grams**

CONTROLLED SUBSTANCE (GRAMS)

**175 grams**

CONTROLLED SUBSTANCE  
(DOSAGE UNITS)

**100 Tablets**

HOW WAS WEIGHT DETERMINED?

**Police Department Certified Scale**

WERE TAX STAMPS PRESENT AND AFFIXED AS REQUIRED?

YES

NO

DATE AND PLACE OF PRELIMINARY HEARING

**10/16/99, 10:00AM, GA14 Superior Court, Hartford**

**OTHER INFORMATION**

**Accused owns a 1999 BMW, CT Registration IDEAL, which we plan to keep under the drug asset  
forfeiture program. He may also own a single family house at Green Ave. He has no record of  
employment. Our case number is 52525-91.**