

ASSEMBLY, No. 5869

STATE OF NEW JERSEY 219th LEGISLATURE

INTRODUCED JUNE 14, 2021

Sponsored by:

Assemblyman ANTHONY S. VERRELLI

District 15 (Hunterdon and Mercer)

SYNOPSIS

Permits alcoholic beverage licensee to make late filing of sale and use tax return and remittance without penalty if full amount of tax due is remitted within 30 days of statutory due date.

CURRENT VERSION OF TEXT

As introduced.



1 AN ACT concerning the remittance of sales and use tax by alcoholic
2 beverage licensees and supplementing P.L.1966, c.30.

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4 **BE IT ENACTED** *by the Senate and General Assembly of the State*
5 *of New Jersey:*

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7 1. The holder of a retail license or permit, wholesale license, or
8 manufacturer's license issued pursuant to Title 33 of the Revised
9 Statutes that is required to collect and remit the tax and file a return
10 under the "Sales and Use Tax Act," P.L.1966, c.30 (C.54:32B-1 et
11 seq.) shall be allowed to submit those returns and remittances,
12 without the assessment of penalties or interest, not later than the
13 30th day following the date required for the remittance of taxes and
14 filing of returns pursuant to sections 17 and 18 of P.L.1966, c.30
15 (C.54:32B-17 and C.54:32B-18), provided that the person remits to
16 the director the full amount of taxes due pursuant to section 18 of
17 P.L.1966, c.30 (C.54:32B-18) at the time the return is filed.

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19 2. This act shall take effect immediately and apply to returns
20 and remittances due on the 20th day of the second month next
21 following enactment, and in each month thereafter.

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STATEMENT

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26 This bill provides alcoholic beverage licensees with an additional
27 30 days to file a return or remit sales and use tax collections,
28 without the assessment of penalties or interest, so long as the
29 licensee pays the full amount of sales and use tax due when the
30 return is filed. Penalties and interest will be assessed if the licensee
31 does not pay the full amount of tax due.

32 Current law requires sales and use tax returns to be filed on the
33 20th day of the month after the end of the filing period and for taxes
34 to be remitted at the time of filing the return. According to the
35 Department of the Treasury, the late filing penalty is five percent of
36 the tax due for each month (or part of a month) a return is late. The
37 maximum penalty for late filing is 25 percent of the balance due.
38 The Division of Taxation may also charge a penalty of \$100 for
39 each month a return is late.