



Rhode Island Department of Revenue

Division of Taxation

August 4, 2015
Notice 2015 - 12

IMPORTANT NOTICE

Registration and Reporting Requirements for Smoking Bars as of July 1, 2015

Legislation approved by the Rhode Island General Assembly and signed into law by Rhode Island Governor Gina M. Raimondo on June 30, 2015, expanded the registration and reporting requirements for "Smoking Bars" in accordance with Rhode Island General Laws. §§ 23-20.10-2(15) and 6. This document is for general information purposes only and is not a substitute for Rhode Island General Laws or for Division of Taxation regulations or declaratory rulings.

As of July 1, 2015, all bars that consider themselves a "Smoking Bar" pursuant to R.I.G.L. § 23-20.10-2(15)(a), must "demonstrate quarterly, for a period of one year and annually thereafter, that the annual revenue generated from the serving of tobacco products is greater than fifty percent (50%) of the total revenue for the establishment, and the serving of food, alcohol or beverages is only incidental to the consumption of such tobacco products." Furthermore, "every owner of a smoking bar shall register no later than January 1 of each year with the division of taxation and shall provide, at a minimum, the owner's name and address and the name and address of the smoking bar."

The Rhode Island Division of Taxation has revised its "Quarterly Return and Report of Revenues under R.I.G.L. § 23-20.10-2(15)" to comply with the new registration and reporting requirements. Please see the attached document. If your business is considered a "Smoking Bar" you will be required to file this document four (4) times throughout this year.

The quarterly periods run from January 1 to March 31 (first quarter), April 1 to June 30 (second quarter), July 1 to September 30 (third quarter), and October 1 to December 31 (fourth quarter). The Return and Report of Revenues will be required to be filed with the Division of Taxation no later than the last day of the month following the end of each quarter. Since the legislation is effective as of July 1, 2015, you will be required to file the third quarter Return by October 31, 2015.

The Quarterly Return and Report of Revenues will be posted and available on the Division of Taxation's website at <http://go.usa.gov/3sc4z>. When this document is filed with the Division of Taxation, the establishment will be considered to have sufficiently registered pursuant to the statute.

Please be advised that the information provided in the Quarterly Return and Report will require a notary, and it is signed under the penalties of perjury. The information can and will be used during routine cigarette and Other Tobacco Products inspections and any investigations and/or audits conducted by the Division. Furthermore, if your Smoking Bar fails to comply with filing its Quarterly Return and Report of Revenues, its sales tax permit, cigarette dealer's license, and your operator's license and/or vehicle registration may be blocked, suspended, or terminated pursuant to R.I.G.L. §§ 5-76-2, 31-3-6.1, 31-3-6.1.1, and 44-20-8.

If you have any questions or concerns, please contact Sharon Garner, Esq., Chief of the Special Investigation Unit at 401-574-8874, or Rosandris Javier, Revenue Agent, at 401-574-8887.