

RCW 82.25.110 Preexisting inventories. (1) Preexisting inventories of vapor products are subject to the tax imposed in RCW 82.25.010. All retailers and other distributors must report the tax due under RCW 82.25.010 on preexisting inventories of vapor products on a form, as prescribed by the department, on or before October 31, 2019, and the tax due on such preexisting inventories must be paid on or before January 31, 2020.

(2) Reports under subsection (1) of this section not filed with the department by October 31, 2019, are subject to a late filing penalty equal to the greater of two hundred fifty dollars or ten percent of the tax due under RCW 82.25.010 on the taxpayer's preexisting inventories.

(3) The department must notify the taxpayer of the amount of tax due under RCW 82.25.010 on preexisting inventories, which is subject to applicable penalties under RCW 82.32.090 (2) through (7) if unpaid after January 31, 2020. Amounts due in accordance with this section are not considered to be substantially underpaid for the purposes of RCW 82.32.090(2).

(4) Interest, at the rate provided in RCW 82.32.050(2), must be computed daily beginning February 1, 2020, on any remaining tax due under RCW 82.25.010 on preexisting inventories until paid.

(5) A retailer required to comply with subsection (1) of this section is not required to obtain a distributor license as otherwise required under chapter 70.345 RCW as long as the retailer:

(a) Does not sell vapor products other than to ultimate consumers; and

(b) Does not meet the definition of "distributor" in RCW 82.25.005 other than with respect to the sale of that retailer's preexisting inventory of vapor products.

(6) Taxes may not be collected under RCW 82.25.010 from consumers with respect to any vapor products acquired before October 1, 2019.

(7) For purposes of this section, "preexisting inventory" means an inventory of vapor products located in this state as of the moment that RCW 82.25.010 takes effect and held by a distributor for sale, handling, or distribution in this state. [2019 c 445 s 122.]

Automatic expiration date and tax preference performance statement exemption—2019 c 445: See note following RCW 82.08.0318.