

**Interested Parties Meeting Agenda**  
**Regulation 3802, *Gross Receipts from Sales of Cannabis and Cannabis Products***  
**August 29, 2024**

**Welcome and Introductions**

**Item A – Overview**

- Additional guidance necessary due to enactment of AB 195 on June 30, 2022.
- Prior discussion paper distributed October 2, 2023.
- Prior interested parties meeting on October 12, 2023.
- Notice of Proposed Emergency Action and Finding of Emergency posted in December 2023.
- Regulation 3802 effective December 15, 2023, as an emergency regulation.
- We have two years from the effective date to certify the emergency regulation by adopting it through the regular rulemaking process.

**Item B – Subdivision (a)**

- Clarifies that gross receipts include any amount the purchaser is required to pay to purchase the cannabis or cannabis products, regardless of how the amount is denominated or labeled on the invoice or receipt.
- Clarifies that gross receipts do not include amounts that are excluded or deductible from gross receipts pursuant to RTC §6012 or a regulation implementing that section.
- Clarifies that gross receipts specifically include any amount the purchaser is required to pay for:
  - Services that are part of the sale.
  - Tangible personal property the purchaser is required to purchase as a condition of the sale.

**Item C – Subdivision (b)**

- Clarifies that gross receipts do not include a reasonable amount charged for optional tangible personal property purchased with cannabis or cannabis products in the same retail sale.
- Clarifies the meaning of “optional tangible personal property,” “same kind of cannabis,” and “same kind of cannabis product.”
- Provides examples.
- Clarifies that a retailer must maintain records to support optional tangible personal property and that the amount charged was reasonable.

**Item D – Subdivision (c)**

- Clarifies that gross receipts excludes certain transportation charges.

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**Item E – Comments**

- Written comments regarding the regulation or suggestions for regulatory language are due September 12, 2024.
- Please submit to [BTfD-BTC.InformationRequests@cdtfa.ca.gov](mailto:BTfD-BTC.InformationRequests@cdtfa.ca.gov).

**Other Contact Information**

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