

CHAPTER 3.**TAX COLLECTION****ARRANGEMENT OF SECTIONS****Section****§301.** Short Title.**§302.** Tax Lien.**§303.** Civil Action of enforcement.**§304.** Prepayment of license fees; revocation of license for failure to pay fees.**§305.** Rules and regulations; deposit into treasury.**§306.** Records of transactions.**§307.** Distribution of revenues.**§308.** Failure to pay.

An Act to provide for the collection of revenue and matters related thereto. [This Chapter was previously codified at 11 MIRC 7]

Source: TTC 1966
 77TTC 1970
 COM P.L. 4C-4 (1971)
 COM P.L. 5-91 (1974)
 COM P.L. 6-52 (1975)
 COM P.L. 6-118 (1976)
 77 TTC 1980

§301. Short title.

This Chapter may be cited as the Tax Collection Act.

§302. Tax liens.

Any taxes imposed or authorized under this Chapter upon property shall be a lien upon the property and may be collected by levy upon it in the same manner as the levy of an execution. [77 TTC 1966, §1147; 77 TTC 1970, §151; 77 TTC 1980, §151, modified.]

§301. Civil action of enforcement.

Any taxes or license fees imposed or authorized under this Chapter or under any law may also be collected by a civil suit brought either in the name of the taxing unit concerned or in the name of the person authorized to collect the same. In such civil suit a written statement of the treasurer of the unit concerned, as to the amount of tax due, the fact that it is unpaid, and who is authorized to collect it, shall be sufficient evidence of these matters unless the contrary is expressly shown. [TTC 1966, §1147; 77 TTC 1970, §152; 77 TTC 1980, §152, modified.]

§302. Prepayment of license fees; revocation of license for failure to pay fees.

The prepayment of any license fee unposed or authorized under this Chapter or under any law may be made a condition of the issuance of the license. If the licensing authority issued the license without prepayment of the fee, the license may be revoked by the licensing authority at any time if the fee is not paid within such time as the licensing authority shall fix. [TTC 1966, §1147; 77 TTC 1970, §153; 77 TTC 1980, §153, modified.]

§305. Rules and regulations; deposit into treasury.

The Secretary of Finance of the Republic, with the approval of the Cabinet, shall prescribe such rules and regulations as are necessary to collect all taxes, fees and charges levied or imposed under this Chapter and all such taxes, fees and charges shall be deposited in the treasury of the Republic for appropriation by the Nitijela. Such rules and regulations shall wherever practicable require payment in full of all taxes, fees and charges immediately upon assessment and, in the case of import taxes, before any merchandise is released by the carrier or his agent to the importer and, in the case of export taxes, before any merchandise is loaded on any vessel or aircraft. [77 TTC 1966, §1147; 77 TTC 1970, §154; 77 TTC 1980, §154, modified.]

§306. Records of transactions.

Every person, firm, corporation or association engaging in any transaction subject to a tax, fee or charge levied or imposed under this Chapter shall keep a full and accurate record of each such transaction engaged in by him and such record shall be available for examination by the Cabinet or its authorized representative for at least three (3) years after the date of such transaction. Any person, firm, corporation or association willfully failing to keep or make available for examination such records shall be guilty of a misdemeanor, and, in addition, shall be subject to the immediate revocation of any relevant existing license to do business in the Republic. [TTC 1966, § 1147; 77 TTC 1970, §155; 77 TTC 1980, §155, modified.]

§307. Distribution of revenues.

The Secretary of Finance shall deposit taxes collected into the appropriate Fund of the Republic. [TTC 1966, §1147; 77 TTC 1970, §156; COM P.L. 4C-4, §2 (1971); COM P.L 5-91(1974); COM P.L. 6-52, §4 (1975); COM P.L 6-118, §4; (1976); 77 TTC 1980, §156, modified.]

§308. Failure to pay.

Any person who, or firm, corporation, partnership or association which, owes such taxes and fails to pay them in full, including interest at the rate of six (6%) percent per annum, shall be subject to penalties and the Secretary of Finance of the Republic shall collect or cause to be collected such taxes, interest and penalties in any manner authorized by law. [77 TTC 1966, §1152; 77 TTC 1970, §157; 77 TTC 1980, §157, modified.]