

---

## Adopting Local Option Excise on the sale of restaurant meals GL Chapter 64L

### How does a municipality adopt the local option meals excise?

Acceptance is by a majority vote of the municipal legislative body, subject to local charter. To adopt this local option excise the following or similar language may be used:

VOTED: That the city/town of \_\_\_\_\_ accept G.L. c. 64L, § 2(a) to impose a local meals excise.

### My community voted to adopt the local meals excise. What's the next step?

Within 48 hours of the acceptance the city or town clerk must notify DLS by submitting the form [Notification of Acceptance/Rescission – Meals Excise](#). Email the Notification of Acceptance to [databank@dor.state.ma.us](mailto:databank@dor.state.ma.us).

### Why do I need to include contact information for our Local Licensing Authority?

Once your notification of acceptance is received, a list of establishments serving food in your community will be sent to the local licensing authority to verify they have all [registered in DOR MassTax Connect](#). This is an important step in the process as it impacts the amount of revenue a community receives.

### Is there a limitation on the rate we can adopt?

A municipality can choose to impose a maximum rate of 0.75%.

### Can the adopted rate be amended?

Yes. A municipality accepting an excise rate can choose to amend that rate or even revoke it, but changes to the adopted rate can only happen once a year.

### How will the excise be collected from a local establishment?

DOR will collect the additional tax at the same time it collects the state tax on the sale of restaurant meals.

### When will DOR start collecting the excise?

The effective date is dependent on two things:

1. The wording of the article approved by the legislative body
2. The date DLS is notified of the adoption

Notification deadlines:

FY Quarter	Quarter Start Date	Notify DLS by:
Quarter 1	July 1 <sup>st</sup>	May 31 <sup>st</sup>
Quarter 2	October 1 <sup>st</sup>	August 31 <sup>st</sup>
Quarter 3	January 1 <sup>st</sup>	December 1 <sup>st</sup>
Quarter 4	April 1 <sup>st</sup>	March 1 <sup>st</sup>

For example, if a municipality votes on May 24<sup>th</sup> to adopt the local option excise effective July 1<sup>st</sup> the notification of acceptance must be received by DLS no later than May 31<sup>st</sup>. Delays in notifying DLS timely will push the effective date to the next quarter. Using the same example: if a municipality votes on May 24<sup>th</sup> to adopt the local option excise effective July 1<sup>st</sup> but DLS is notified on June 5<sup>th</sup>, the effective date would be October 1<sup>st</sup>.

**When will we receive the local option excise collected?**

DOR issues these payments quarterly. Quarterly payments are based on the taxes collected by DOR in the previous three months. For example, the September 30<sup>th</sup> local option excise distribution will be based on excise revenues received by DOR in June, July and August.

**Can I request a list of all establishments in my community that are registered with DOR as subject to the meals excise?**

Yes. DLS can provide local officials with a list of registrations in their municipality. Email your request to [databank@dor.state.ma.us](mailto:databank@dor.state.ma.us).

**Can we request the amount of tax collected from a specific establishment?**

Unfortunately, we can't provide that detail due to DOR policy on taxpayer confidentiality.

For additional guidance consult [Bulletin 2009-15B](#) Local Option Excise.