

Hampden County Sheriff Nick Cocchi pushes proposal to hike retail marijuana tax up to 17 percent



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Taxes on retail marijuana sales could reach a total of 17 percent under a proposal pushed by Hampden County Sheriff Nick Cocchi.

Massachusetts voters approved a November 2016 ballot question legalizing recreational use of marijuana for adults over the age of 21. Marijuana use remains illegal under federal law.

The part of the state law affecting home-growing and personal use went into effect on Dec. 15, but other parts that cover the opening and licensing of retail pot shops were delayed until mid-2018 by Gov. Charlie Baker and lawmakers, who are planning further changes to the new law.

The current law calls for a 3.75 percent excise tax on retail marijuana sales, on top of the state's 6.25 percent sales tax. Cities and towns will be able to levy their own tax of up to 2 percent, meaning a total tax of 12 percent.

Cocchi is proposing an additional 5 percent tax that would funnel money towards addiction treatment programs.

Marijuana legalization advocates say the 12 percent number they proposed is enough to cover the costs of implementing and handling the new law.

"You don't want to overtax it," Cocchi said.

"You get to 44 percent tax, you're going to take people away from buying it legally and push them back to the black market," Cocchi added, referring Washington state's rate.



Can field sobriety tests be used in court cases of driving under influence of marijuana?

According to Cocchi, there isn't enough money for addiction treatment programs now, and the problem will worsen as the state implements the new law.

"Eighty-seven percent are coming to us with some type of substance abuse issue and we need more resources to help battle these types of addictions," he said.

The sheriff's department oversees the Hampden County Correction Center and supervises 1,800 offenders, according to its website.

"I know in my line of work what potentially this legalization could do. And it's not going to better the substance abuse issue. I'm not saying it's going to drastically enhance it," but it is going to increase the amount of people who need addiction services, Cocchi said.

Asked about Cocchi's proposal, Jim Borghesani, a spokesman for marijuana legalization advocates, said they would support an attempt to dedicate marijuana tax revenue to addiction treatment, especially if it leads to an increased number of opioid treatment beds.

"However, we are confident that there will be adequate revenue to do so without raising the marijuana tax, which would have the negative effect of encouraging illicit market sales," he said in an email.



Massachusetts marijuana activists express disgust with retail pot delay

State Reps. Brian Ashe of Longmeadow and John Velis of Westfield are co-sponsoring Cocchi's proposal. Cocchi said he also plans to lobby other lawmakers to support the bill, and he hopes to speak with his fellow sheriffs while attending Gov. Charlie Baker's "State of the Commonwealth" address at the State House on Tuesday night.

Treasurer Deb Goldberg, whose office is tasked with setting up the regulatory framework for legal marijuana, has said the current excise tax rate on marijuana is too low.

"The higher the better," she said in October, before voters approved the ballot question.



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