

**NOTICE OF PROPOSED RULEMAKING AND PUBLIC RULE HEARING**

The New Mexico Taxation and Revenue Department hereby gives notice as required under Section 14-4-5.2 NMSA 1978 and 1.24.25.11 NMAC that it proposes to enact, amend, and repeal and replace rules to provide guidance on digital advertising, treatment of cannabis under certain rules, as well as removing outdated language about reimbursed expenditures, as authorized by Section 9-11-6.2 NMSA 1978:

**Summary of Proposed Changes:**

The New Mexico Taxation and Revenue Department proposes to amend the following rule(s):

**Tax Administration Act, Section 7-1-14 NMSA 1978**

3.1.4.13 NMAC - Reporting According to Business Location

**Gross Receipts and Compensating Tax Act, Section 7-9-3.5 NMSA 1978**

3.2.1.19 NMAC - Gross Receipts - Receipts of Agents

The New Mexico Taxation and Revenue Department proposes to repeal and replace the following rule(s):

**Gross Receipts and Compensating Tax Act, Section 7-9-18 NMSA 1978**

3.2.106.7 NMAC - Definitions

**Gross Receipts and Compensating Tax Act, Section 7-9-55 NMSA 1978**

3.2.213.7 NMAC - Definitions

3.2.213.9 NMAC - Broadcasting and Related Advertising

The New Mexico Taxation and Revenue Department proposes to enact the following rule(s):

**Gross Receipts and Compensating Tax Act, Section 7-9-18 NMSA 1978**

3.2.106.15 NMAC - Cannabis

**Gross Receipts and Compensating Tax Act, Section 7-9-55 NMSA 1978**

3.2.213.13 NMAC Receipts of a Digital Platform That Displays Digital Advertising

**Technical Information:** No technical information was consulted in drafting these proposed rule changes.

**Purpose of Proposed Rule:** The proposed rules are being enacted, amended, repealed, and repealed and replaced to provide guidance on digital advertising, treatment of cannabis under certain rules, as well as removing outdated language about reimbursed expenditures.

**Notice of Public Rule Hearing:** A public hearing will be held on the proposed rule changes on September 8, 2022 at 10:00AM through the internet, email, and telephonic means.

The Public Hearing will be accessible via Zoom

<https://us02web.zoom.us/j/84355521638?pwd=SnViVlRaUjU2amwrSXNUN2NDUENsUT09> or by telephone by dialing 1 346 248 7799 Meeting ID: 843 5552 1638 Passcode: 543446. Any oral comments made during this hearing will be recorded and any electronic written comments can be submitted during the hearing at [policy.office@state.nm.us](mailto:policy.office@state.nm.us).

The proposals were placed on file in the Office of the Secretary on July 28, 2022. Pursuant to Regulation 3.1.2.9 NMAC under Section 9-11-6.2 NMSA 1978 of the Taxation and Revenue Department Act, the final of the proposals, if filed, will be filed as required by law on or about October 11, 2022.

Individuals with disabilities who need any form of auxiliary aid to attend or participate in the public hearing are asked to contact Alicia Romero at [Alicia.Romero@state.nm.us](mailto:Alicia.Romero@state.nm.us). The Taxation and Revenue Department will make every effort to accommodate all reasonable requests but cannot guarantee accommodation of a request that is not received at least ten calendar days prior to the scheduled hearing.

Copies of the proposed rules may be found at [www.tax.newmexico.gov/proposed-regulations-hearing-notices.aspx](http://www.tax.newmexico.gov/proposed-regulations-hearing-notices.aspx) or are available upon request by contacting the Tax Policy Office at [policy.office@state.nm.us](mailto:policy.office@state.nm.us).

**Notice of Acceptance of Written Public Comment:** Written comments on the proposals can be submitted by email to [policy.office@state.nm.us](mailto:policy.office@state.nm.us) or by mail to the Taxation and Revenue Department, Tax Information and Policy Office, Post Office Box 630, Santa Fe, New Mexico 87504-0630 on or before September 8, 2022. All written comments received by the agency will be posted on [www.tax.newmexico.gov](http://www.tax.newmexico.gov) no more than 3 business days following receipt to allow for public review.