

TRUK DISTRICT LEGISLATURE

FIFTY-SECOND REGULAR SESSION, FIRST SPECIAL SESSION, 1972

ACT NO. 22-1-6

AN ACT

TO LEVY A HOTEL AND MOTEL OCCUPANCY TAX; FORBIDDING MUNICIPALITIES TO LEVY SUCH A TAX; AND FOR OTHER PURPOSES.

BE IT ENACTED BY THE TRUK DISTRICT LEGISLATURE THAT:

Section 1. Amendment. Title 29 of the Truk District Code is hereby amended by adding a Chapter 5 thereto, immediately following Chapter 4, to read as follows:

Chapter 5

Hotel and Motel Occupancy Tax

Section

- 101. Imposition
- 102. Payment
- 103. Municipalities restricted
- 104. Records
- 105. Disposition of Revenues
- 106. Civil Penalty
- 107. Criminal Penalty

101. Imposition. There is hereby imposed a hotel and motel room occupancy tax at the rate of five (5) percent of the daily rate due.
102. Payment. All taxes shall attack at the time of receipt of payment by the person, company, a corporation for the rent of the rooms. All taxes which have attached during a calendar month shall be paid to the District Treasurer on or before the fifteenth day of the succeeding month; provide however, that the District Treasurer may make special provisions for the time of payment of the taxes due from islands outside the Truk Lagoon. Taxes not paid within the time specified in this chapter shall be considered delinquent.

103. Municipalities restricted. No Municipalities shall tax hotel and motel occupancy; provided, however, nothing herein shall prevent the municipalities from imposing a tax on hotel restaurants, bars, handicraft shops, or concessions.
104. Records. Every person, company, or corporation making available rooms for rent on a daily basis shall keep accurate records including receipts for all rooms rented and shall provide the District Treasurer with copies thereof.
105. Disposition of revenues. All revenues, including income derived pursuant to Section 106 and 107, collected under this chapter shall be paid into the General Fund of the Truk District Legislature and shall be available for appropriation for tourist promotion in Truk District only.
106. Civil Penalty. All taxes delinquent under Section 102 shall be subject to a penalty of five percent per month of the all taxes due out not paid.
107. Criminal Penalty. Any person who knowingly, wilfully and unlawfully violates or refuses to comply with any provision of this chapter, or with any regulation duly issued by the District Treasurer for the enforcement of this chapter shall upon conviction thereof be fined not more than five hundred (\$500.00) dollars or imprisoned for not more than ninety (90) days, or both such fine and imprisonment. Such penalties are in addition to those which will be due under section 105 of this Chapter.

Section 2. Effective Date. This Act shall be come law upon its approval by the District Administrator, or upon its becoming law without such approval.

Signed by: /s/ Hermes Katsura
Hermes Katsura, Speaker
Truk District Legislature

Attested to: /s/ Keichiro Gerhart
Keichiro Gerhart, Secretary
Truk District Legislature

Date: 12/21/72

Approved by: /s/ Mitaro S. Danis
for - Juan A. Sablan
Acting - District Administrator
Truk

Date: January 20, 1973