



General Assembly

February Session, 2008

Raised Bill No. 5775

LCO No. 2298

02298 _____ GL_

Referred to Committee on General Law

Introduced by:
(GL)

AN ACT CONCERNING TAX ON SNUFF TOBACCO PRODUCTS.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 12-330d of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective January 1, 2009*):

3 (a) Except as otherwise provided in subsection (b) of this section,
4 each licensed distributor and each licensed unclassified importer shall
5 file with the commissioner, on or before the twenty-fifth day of each
6 month, a report for the calendar month immediately preceding in such
7 form and containing such information as the commissioner may, by
8 regulations adopted pursuant to the provisions of chapter 54,
9 prescribe. The return shall be accompanied by a payment of the
10 amount of the tax shown to be due thereon. If any person fails to pay
11 the amount of tax reported due on its report within the time specified
12 under this section, there shall be imposed a penalty equal to ten per
13 cent of such amount due and unpaid, or fifty dollars, whichever is
14 greater. Such amount shall bear interest at the rate of one per cent per
15 month or fraction thereof, from the due date of such tax until the date
16 of payment. Subject to the provisions of section 12-3a, the
17 commissioner may waive all or part of the penalties provided under

18 this chapter when it is proven to the commissioner's satisfaction that
19 the failure to pay any tax was due to reasonable cause and was not
20 intentional or due to neglect.

21 (b) (1) Any person who does not acquire untaxed tobacco products,
22 but acquires taxed tobacco products for sale at retail shall not be
23 licensed as a distributor under this chapter, and shall be required,
24 during the period that such person is a retailer of taxed tobacco
25 products, to apply for and retain a dealer's license under chapter 214.
26 Each such retailer shall maintain records that detail (A) the persons
27 from whom, the quantities in which and the dates on which tobacco
28 products were acquired by such retailer, and (B) any other information
29 deemed necessary by the commissioner.

30 (2) If, in the commissioner's discretion, the enforcement of this
31 chapter would not be adversely affected, the commissioner, by
32 regulation adopted pursuant to this chapter, may exempt unclassified
33 importers from the licensing requirements of section 12-330b and from
34 the monthly reporting requirements of this section and, in lieu thereof,
35 may require unclassified importers having untaxed tobacco products
36 in their possession, not later than twenty-four hours after coming into
37 possession of such untaxed tobacco products, (A) to file a report with
38 the commissioner in such form as the commissioner prescribes and
39 bearing notice to the effect that false statements made in such report
40 are punishable, and (B) to pay the amount of tax shown to be due
41 thereon.

42 Sec. 2. Section 12-330c of the general statutes is repealed and the
43 following is substituted in lieu thereof (*Effective January 1, 2009*):

44 (a) [(1)] A tax is imposed on all untaxed tobacco products held in
45 this state by any person. [Except as otherwise provided in subdivision
46 (2) of this subsection with respect to the rate of tax on snuff tobacco
47 products, the] The tax shall be imposed at the rate of twenty per cent of
48 the wholesale sales price of such products.

49 [(2) The tax shall be imposed on snuff tobacco products, on the net
50 weight as listed by the manufacturer, as follows: Forty cents per ounce
51 of snuff and a proportionate tax at the like rate on all fractional parts of
52 an ounce of snuff.]

53 (b) Said tax shall be imposed on the distributor or the unclassified
54 importer at the time the tobacco product is manufactured, purchased,
55 imported, received or acquired in this state.

56 (c) Said tax shall not be imposed on any tobacco products which (1)
57 are exported from the state, or (2) are not subject to taxation by this
58 state pursuant to any laws of the United States.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>January 1, 2009</i>	12-330d
Sec. 2	<i>January 1, 2009</i>	12-330c

Statement of Purpose:

To restore the progressive tax on snuff tobacco products.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]