



General Assembly

February Session, 2010

Raised Bill No. 437

LCO No. 2105

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Referred to Committee on Finance, Revenue and Bonding

Introduced by:
(FIN)

AN ACT CONCERNING THE TOBACCO PRODUCTS TAX.

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

1 Section 1. Section 12-330a of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective July 1, 2010*):

3 As used in this chapter:

4 (1) "Commissioner" means the Commissioner of Revenue Services;

5 (2) "Tobacco products" means cigars, cheroots, stogies, periques,
6 granulated, plug cut, crimp cut, ready rubbed and other smoking
7 tobacco, snuff tobacco products, cavendish, plug and twist tobacco,
8 fine cut and other chewing tobaccos, shorts, refuse scraps, clippings,
9 cuttings and sweepings of tobacco and all other kinds and forms of
10 tobacco, prepared in such manner as to be suitable for chewing or
11 smoking in a pipe or otherwise or for both chewing and smoking, but
12 shall not include any cigarette, as defined in section 12-285;

13 (3) "Distributor" means (A) any person in this state engaged in the
14 business of manufacturing tobacco products, (B) any person who

15 purchases untaxed tobacco products at wholesale from manufacturers
16 or other distributors for sale, or (C) any person who imports into this
17 state untaxed tobacco products, at least seventy-five per cent of which
18 are to be sold;

19 (4) "Unclassified importer" means any person, other than a
20 distributor, who imports, receives or acquires untaxed tobacco
21 products from outside this state for his or her personal use or
22 consumption in this state;

23 (5) "Sale" or "sell" includes or applies to gifts, exchanges and barter;

24 (6) "Wholesale sales price" means, in the case of a manufacturer of
25 tobacco products, the price set for such products or, if no price has
26 been set, the wholesale value of such products, and, in the case of a
27 distributor who is not a manufacturer of tobacco products, the price at
28 which the distributor purchased such products, and, in the case of an
29 unclassified importer of tobacco products, the price at which the
30 unclassified importer purchased such products;

31 (7) "Snuff tobacco products" means only those snuff tobacco
32 products that have imprinted on the packages the designation "snuff"
33 or "snuff flour", or the federal tax designation "Tax Class M", or both;

34 (8) "Untaxed tobacco products" means tobacco products upon which
35 no tax has been paid in accordance with the provisions of this chapter;
36 [and]

37 (9) "Taxed tobacco products" means tobacco products upon which
38 tax has been paid in accordance with the provisions of this chapter;
39 and

40 (10) "Noncigarette smoking tobacco" means tobacco sold in loose or
41 bulk form that is intended for consumption by smoking, and includes
42 pipe tobacco and roll-your-own tobacco.

43 Sec. 2. Section 12-330c of the 2010 supplement to the general statutes

44 is repealed and the following is substituted in lieu thereof (*Effective July*
45 *1, 2010*):

46 (a) (1) A tax is imposed on all untaxed tobacco products held in this
47 state by any person. Except as otherwise provided in [subdivision (2)]
48 subdivisions (2) and (3) of this subsection, [with respect to the rate of
49 tax on snuff tobacco products,] the tax shall be imposed at the rate of
50 twenty-seven and one-half per cent of the wholesale sales price of such
51 products.

52 (2) The tax shall be imposed on snuff tobacco products, on the net
53 weight as listed by the manufacturer, as follows: Fifty-five cents per
54 ounce of snuff and a proportionate tax at the like rate on all fractional
55 parts of an ounce of snuff.

56 (3) The tax shall be imposed on noncigarette smoking tobacco at the
57 rate of one hundred fifty mills for each 0.0325 ounces.

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

61 (c) Said tax shall not be imposed on any tobacco products which (1)
62 are exported from the state, or (2) are not subject to taxation by this
63 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>July 1, 2010</i>	12-330a
Sec. 2	<i>July 1, 2010</i>	12-330c

Statement of Purpose:

To impose a tax on noncigarette smoking tobacco that is equal to the tax on cigarettes.

[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.]