

AMENDMENT #16

OFFERED IN THE HOUSE
TO: CSSB 24(FIN)

BY REPRESENTATIVE ALLARD

1 Page 10, line 17:

2 Delete "25"

3 Insert "(1) 12.5"

4

5 Page 10, line 18, following "product":

6 Insert ";

7 (2) 65 percent of the wholesale price of a closed electronic smoking
8 product or a vapor product"

9

10 Page 10, line 19, following "tax":

11 Insert "under (a)(1) of this section"

12

13 Page 10, line 20, following "tax":

14 Insert "under (a)(1) of this section"

15

16 Page 10, following line 22:

17 Insert a new subsection to read:

18 "(c) The tax under (a)(2) of this section is levied when a person

19 (1) brings, or causes to be brought, an electronic smoking product or
20 vapor product into the state from outside the state for sale;

21 (2) makes, manufactures, or fabricates an electronic smoking product
22 or vapor product in the state for sale in the state; or

23 (3) ships or transports an electronic smoking product or vapor product

1 to a retailer in the state for sale by the retailer."

2

3 Page 10, line 25:

4 Delete "sold"

5 Insert "intended for sale"

6

7 Page 11, line 5, following "store;":

8 Insert "for purposes of meeting the requirements of this subparagraph, the department
9 shall accept a notarized affidavit from the seller attesting to the intended use of the product;"

10

11 Page 11, line 18, following "retailer":

12 Insert "or distributor"

13

14 Page 15, line 19, through page 16, line 8:

15 Delete all material and insert:

16 "Sec. 43.50.900. Definitions. In AS 43.50.850 - 43.50.900,

17 (1) "distributor" means a person who

18 (A) brings, or causes to be brought, electronic smoking
19 products into the state from outside the state for sale;

20 (B) makes, manufactures, or fabricates electronic smoking
21 products in the state for sale in the state; or

22 (C) ships or transports electronic smoking products to a retailer
23 in the state for sale by the retailer;

24 (2) "retailer" means a person in the state who is engaged in the
25 business of selling electronic smoking products at retail;

26 (3) "sales price"

27 (A) means the total amount of consideration, including cash,
28 credit, property, and services, for which an electronic smoking product is
29 purchased or sold, valued in money, whether received in money or otherwise,
30 without any deduction for

31 (i) the seller's cost of the electronic smoking product

1 sold;

2 (ii) the cost of materials used, labor or service cost,
3 interest, losses, cost of transportation, taxes, or other expenses of the
4 seller;

5 (iii) charges by the seller for services necessary to
6 complete the sale;

7 (iv) delivery charges;

8 (B) does not include

9 (i) discounts, including cash or coupons that are not
10 reimbursed by a third party, that are allowed by a seller and taken by a
11 purchaser on a sale;

12 (ii) interest, financing, and carrying charges from credit
13 extended on the sale of an electronic smoking product if the amount is
14 separately stated on the invoice, bill of sale, or similar document given
15 to the purchaser; and

16 (iii) taxes legally imposed directly on the consumer that
17 are separately stated on the invoice, bill of sale, or similar document
18 given to the purchaser."

19

20 Page 17, lines 3 - 4:

21 Delete all material.

22

23 Renumber the following paragraph accordingly.

#17

A M E N D M E N T

OFFERED IN THE HOUSE
TO: CSSB 24(FIN)

BY REPRESENTATIVE ALLARD

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