

HOUSE BILL NO. 3

IN THE LEGISLATURE OF THE STATE OF ALASKA

SEVENTEENTH LEGISLATURE - FIRST SESSION

BY REPRESENTATIVES ELLIS, Brown

Introduced: 1/21/91

Referred: Health, Education and Social Services, Finance

A BILL

FOR AN ACT ENTITLED

1 "An Act levying an excise tax on smokeless tobacco products, and excluding smokeless
2 tobacco products from the excise tax on tobacco products that is based on their wholesale
3 price."

4 **BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:**

5 * Section 1. AS 43.50 is amended by adding a new section to read:

6 ARTICLE 2A. SMOKELESS TOBACCO.

7 Sec. 43.50.200. TAX ON SMOKELESS TOBACCO PRODUCTS. (a) There is levied
8 an excise tax on smokeless tobacco products. The tax is imposed at a rate, as determined by
9 regulation by the commissioner, that is equivalent to the combined rate of tax imposed on
10 cigarettes by AS 43.50.090(a) and 43.50.190(a).

11 (b) The commissioner shall administer and collect the tax levied by this section in the
12 same manner as the tax levied by AS 43.50.010 - 43.50.180, except that receipts from the tax
13 shall be deposited in the general fund.

14 (c) The penalties provided in AS 43.05 apply to the tax levied by this section.

1 (d) In this section, "smokeless tobacco product" means
2 (1) snuff and snuff flour, and
3 (2) chewing tobacco, including cavendish, twist, plug, scrap, and tobacco suitable
4 for chewing.

5 * Sec. 2. AS 43.50.390(4) is amended to read:

6 (4) "tobacco product"

7 (A) means

8 (i) [(A)] a cigar,

9 (ii) [(B)] a cheroot;

10 (iii) [(C)] a stogie;

11 (iv) [(D)] a perique;

12 (v) [(E)] SNUFF AND SNUFF FLOUR;

13 (F) smoking tobacco, including granulated, plug-cut, crimp-cut, ready-
14 rubbed, and any form of tobacco suitable for smoking in a pipe or cigarette;

15 [(G) CHEWING TOBACCO, INCLUDING CAVENDISH, TWIST,
16 PLUG, SCRAP, AND TOBACCO SUITABLE FOR CHEWING;] or

17 (vi) [(H)] an article or product made of tobacco or a tobacco
18 substitute;

19 (B) does not include

20 (i) [, BUT NOT INCLUDING] a cigarette as defined in
21 AS 43.50.170; or

22 (ii) a smokeless tobacco product as defined in AS 43.50.200(d);