

54:40B-1

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NJSA: 54:40B-1 et seq.

(Cigarette tax--  
increase surtax)

LAWS OF: 1990

CHAPTER: 39

Bill No: A3608

Sponsor(s): Zangari & Brown

Date Introduced: June 14, 1990

Committee: Assembly: Appropriations

Senate: -----

Amended during passage: No  Assembly Committee Substitute enacted

Date of Passage: Assembly: June 19, 1990

Senate: June 20, 1990

Date of Approval: June 27, 1990

Following statements are attached if available:

Sponsor statement: Yes

Committee Statement: Assembly: Yes

Senate: No

Fiscal Note: No

Veto Message: No

Message on signing: No

Following were printed:

Reports: No

Hearings: No

See newspaper clippings--attached:

KBG/SLJ

(over)

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"Smokers Fuming over new taxes on Tobacco"  
Philadelphia Inquirer 6/21/1990

"Assembly Tax Vote Nears"  
Trenton Times June 20, 1990

"Assembly Dems Labor to pass sales tax hike"  
New Star Ledger June 20, 1990

"Tobacco, liquor tax hikes advance"  
Record, June 20, 1990

"Assembly agrees to raise liquor, cigarette taxes"  
Asbury Park Press June 20, 1990

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ASSEMBLY COMMITTEE SUBSTITUTE FOR  
ASSEMBLY, No. 3608 and 3613

STATE OF NEW JERSEY

ADOPTED JUNE 14, 1990

Sponsored by Assemblymen ZANGARI and BROWN

1 AN ACT concerning the taxation of cigarettes and other tobacco  
2 products, supplementing Title 54 of the Revised Statutes,  
3 amending P.L.1982, c.40, amending and supplementing  
4 P.L.1948, c.65 and repealing section 4 of P.L.1982, c.40.

5  
6 BE IT ENACTED *by the Senate and General Assembly of the*  
7 *State of New Jersey:*

8 1. (New Section) Sections 1 through 14 of this act shall be  
9 known and may be cited as the "Tobacco Products Wholesale  
10 Sales and Use Tax Act."

11 2. (New Section) As used in sections 2 through 14 and section  
12 20 of this act:

13 "Consumer" means a person except a distributor, manufacturer  
14 or wholesaler who acquires a tobacco product for consumption,  
15 storage or use in this State;

16 "Director" means the Director of the Division of Taxation in  
17 the Department of the Treasury;

18 "Distributor" means a person, wherever resident or located,  
19 who brings or causes to be brought into this State a tobacco  
20 product purchased directly from the manufacturer thereof and  
21 receives, stores, sells or otherwise disposes of the same after it  
22 reaches this State;

23 "Manufacturer" means a person, wherever resident or located,  
24 who manufactures or produces, or causes to be manufactured or  
25 produced, a tobacco product and sells, uses, stores or distributes  
26 the product regardless of whether it is intended for sale, use or  
27 distribution within or without this State;

28 "Person" means an individual, firm, corporation, copartnership,  
29 joint venture, association, receiver, trustee, guardian, executor,  
30 administrator, or any other person acting in a fiduciary capacity,  
31 or an estate, trust or group or combination acting as a unit, the  
32 State Government and any political subdivision thereof, and the  
33 plural as well as the singular, unless the intention to give a more  
34 limited meaning is disclosed by the context;

35 "Place of business" means a place where a tobacco product is  
36 sold or where a tobacco product is brought or kept for the  
37 purpose of sale or consumption, including so far as may be  
38 applicable a vessel, vehicle, airplane, train or vending machine;

39 "Receipt" means the sale price of a tobacco product valued in

EXPLANATION--Matter enclosed in bold-faced brackets [thus] in the  
above bill is not enacted and is intended to be omitted in the law.

Matter underlined thus is new matter.

1 money, whether received in money or otherwise, including early  
2 payment discounts, and without any deduction or exclusion for  
3 expenses or costs whatsoever;

4 "Retail dealer" means a person who is engaged in this State in  
5 the business of selling any tobacco product at retail. A person  
6 placing a tobacco product vending machine at, or on any premises  
7 shall be deemed to be a retail dealer for each vending machine;

8 "Sale" means any sale, transfer, exchange, barter, or gift, in  
9 any manner or by any means whatsoever;

10 "Tobacco product" means any product containing any tobacco  
11 for personal consumption including, but not limited to, cigars,  
12 little cigars, cigarillos, chewing tobacco, pipe tobacco, smoking  
13 tobacco and their substitutes, and snuff, but does not include  
14 cigarette as defined in section 102 of the "Cigarette Tax Act,"  
15 P.L.1948, c.65 (C.54:40A-1 et seq.);

16 "Treasurer" means the State Treasurer;

17 "Use" means the exercise of any right or power incidental to  
18 the ownership of a tobacco product, including a sale at retail; and

19 "Wholesaler" means a person, wherever resident or located,  
20 other than a distributor as defined herein, who:

21 a. purchases tobacco products from any other person who  
22 purchases from the manufacturer and who acquires tobacco  
23 products solely for the purpose of bona fide resale to retail  
24 dealers or to other persons for the purposes of resale only; or

25 b. services retail outlets by the maintenance of an established  
26 place of business for the purchase of tobacco products including,  
27 but not limited to, the maintenance of warehousing facilities for  
28 the storage and distribution of tobacco products.

29 3. (New Section) a. There is imposed a tax of 24% upon the  
30 receipts from every sale of a tobacco product by a distributor or  
31 a wholesaler to a retail dealer or consumer.

32 b. Unless a tobacco product has already been or will be subject  
33 to the wholesale sales tax imposed in subsection a. of this  
34 section, if a distributor or wholesaler uses a tobacco product  
35 within this State, there is imposed upon the distributor or  
36 wholesaler a compensating use tax of 24% measured by the sales  
37 price of a similar tobacco product to a retail dealer.

38 c. Unless a wholesale use tax is due pursuant to subsection b.  
39 of this section, if a distributor or wholesaler has not collected the  
40 wholesale sales tax imposed in subsection a. of this section upon a  
41 sale that is subject to the wholesale sales tax imposed in that  
42 subsection a., there is imposed upon the retail dealer or consumer  
43 chargeable for the sale a compensating use tax of 24% of the  
44 price paid or charged for the tobacco product, which shall be  
45 collected in the manner provided in subsection b. of section 5 of  
46 this act.

47 4. (New Section) Every distributor or wholesaler required to  
48 collect the tax shall collect the tax from the retail dealer or

1 consumer when collecting the receipt to which it applies. The  
2 retail dealer or consumer shall be given an invoice, receipt or  
3 other statement or memorandum of the charge and the tax shall  
4 be stated, charged and shown separately on the document given  
5 to the retail dealer or consumer. The tax shall be paid to the  
6 distributor or wholesaler required to collect it as trustee for and  
7 on account of the State.

8 The director may provide by regulation that the tax upon  
9 receipts paid in installments may be paid and the return filed on  
10 the amount of each installment.

11 5. (New Section) a. Every distributor or wholesaler required  
12 to collect the tax imposed by this act shall be personally liable  
13 for the tax imposed, collected or required to be collected under  
14 this act. A distributor or wholesaler shall have the same right in  
15 respect to collecting the tax from the retail dealer or consumer  
16 or in respect to non-payment of the tax by the retail dealer or  
17 consumer as if the tax were a part of the sales price for the  
18 tobacco product and payable at the same time; except the  
19 director shall be joined as a party in any action or proceeding  
20 brought to collect the tax.

21 b. If a retail dealer or consumer fails to pay the tax imposed  
22 by this act to the distributor or wholesaler required to collect the  
23 same, then in addition to all other rights, obligations and  
24 remedies provided, the compensating use tax imposed in  
25 subsection c. of section 3 shall be payable by the retail dealer or  
26 consumer directly to the director, and it shall be the duty of the  
27 retail dealer or consumer to file a return, on a form prescribed by  
28 the director, with the director and to pay the tax to the director  
29 within 20 days of the date the tax was required to be paid or at  
30 other times as specified by the director.

31 6. (New Section) Within 15 days from the effective date of  
32 this act, or in the case of distributors or wholesalers commencing  
33 business or opening new places of business after that date, within  
34 3 days after the commencement or opening, every distributor or  
35 wholesaler required to collect the taxes imposed by this act shall  
36 file with the director a certificate of registration in a form  
37 prescribed by the director unless a certificate of authority has  
38 been previously issued to any distributor or wholesaler. The  
39 director shall issue, without charge, to each registrant a  
40 certificate of authority empowering the registrant to collect the  
41 tax and a duplicate thereof for each additional place of business  
42 of the registrant. Each certificate or duplicate shall state the  
43 place of business to which it is applicable. The certificate of  
44 authority shall be prominently displayed in the place of business  
45 of the registrant. Certificates shall be nonassignable and  
46 nontransferable and shall be surrendered to the director  
47 immediately upon the registrant's ceasing to do business at the  
48 place named.

1       7. (New Section) Every distributor or wholesaler required to  
2 collect any tax imposed by this act shall keep records of every  
3 charge and of all amounts paid, charged or due thereon and of the  
4 tax payable thereon, in such form as the director may require.  
5 Records shall include a true copy of each invoice, receipt,  
6 statement or memorandum upon which the provisions of section 4  
7 of this act require that the tax be stated separately. Records  
8 shall be available for inspection and examination at any time  
9 upon demand by the director or duly authorized agent or  
10 employee and shall be preserved for a period of three years,  
11 except that the director may consent to their destruction within  
12 that period or may require that they be kept longer.

13       8. (New Section) a. Every distributor or wholesaler required  
14 to collect or pay tax under this act shall on or before August 20,  
15 1990, and on or before the twentieth day of each month  
16 thereafter, make and file a return for the preceding month with  
17 the director. The return shall show the receipts of the distributor  
18 or wholesaler and the amount of taxes required to be collected  
19 with respect to such receipts. The return shall also reflect any  
20 use tax due.

21       b. The director may permit or require returns to be made  
22 covering other periods and upon such dates as the director may  
23 specify. In addition, the director may require payments of tax  
24 liability at such intervals and based upon such classifications as  
25 the director may designate. In prescribing other periods to be  
26 covered by the return or intervals or classifications for payment  
27 of tax liability, the director may take into account the dollar  
28 volume of tax involved as well as the need for ensuring the  
29 prompt and orderly collection of the taxes imposed.

30       c. The form of returns shall be prescribed by the director and  
31 shall contain such information as the director may deem  
32 necessary for the proper administration of this act. The director  
33 may require amended returns to be filed within 20 days after  
34 notice and to contain the information specified in the notice.

35       9. (New Section) Every distributor or wholesaler required to  
36 file a return under this act shall, at the time of filing the return,  
37 pay to the director the taxes imposed by this act. Taxes for the  
38 period for which a return is required to be filed or for a lesser  
39 interval as shall have been designated by the director, shall be  
40 due and payable to the director on the date limited for the filing  
41 of the return for the period, or on the date limited for such lesser  
42 interval as the director has designated, without regard to whether  
43 a return is filed or whether the return which is filed correctly  
44 shows the amount of receipts or the taxes due thereon. If the  
45 director deems it necessary to protect the revenues to be  
46 obtained under this act, the director may require a distributor or  
47 wholesaler required to collect the tax imposed by this act to file  
48 with the director a bond, issued by a surety company authorized

1 to transact business in this State as to solvency and  
2 responsibility, in an amount as the director may fix, to secure the  
3 payment of any tax or penalties or interest due or which may  
4 become due from the distributor or wholesaler under this act. If  
5 the director determines that a distributor or wholesaler is to file  
6 a bond, the director shall give notice to the distributor or  
7 wholesaler to that effect specifying the amount of the bond  
8 required. The distributor or wholesaler shall file the bond within  
9 five days after the giving of notice unless within the five days the  
10 distributor or wholesaler requests in writing a hearing before the  
11 director at which the necessity, propriety and amount of the bond  
12 shall be determined by the director. The determination shall be  
13 final and shall be complied with within 15 days after the giving of  
14 notice thereof. In lieu of bond, securities approved by the  
15 director or cash in an amount as the director may prescribe, may  
16 be deposited, which shall be kept in the custody of the director  
17 who may at any time without notice to the depositor apply them  
18 to any tax or interest or penalties due, and for that purpose the  
19 securities may be sold by the director at public or private sale  
20 without notice to the depositor thereof.

21 10. (New Section) If a return required by this act is not filed,  
22 or if a return when filed is incorrect or insufficient, the amount  
23 of tax due shall be determined by the director from such  
24 information as may be available. If necessary, the tax may be  
25 estimated on the basis of external indices, such as purchases,  
26 location, scale of charges, comparable charges, number of  
27 employees or other factors. Notice of the determination shall be  
28 given to the distributor, wholesaler, retail dealer or consumer  
29 liable for the collection or payment of the tax. The  
30 determination shall finally and irrevocably fix the tax unless the  
31 wholesaler, distributor, retail dealer or consumer against whom it  
32 is assessed, within 30 days after the notice date of the  
33 determination, shall apply to the director for a hearing, or unless  
34 the director on the director's motion shall redetermine the  
35 same. After the hearing the director shall give notice of the  
36 determination to the wholesaler, distributor, retail dealer or  
37 consumer against whom the tax is assessed.

38 11. (New Section) The taxes imposed by this act shall be  
39 governed in all respects by the provisions of the State Tax  
40 Uniform Procedure Law, R.S.54:48-1 et seq., except only to the  
41 extent that a specific provision of this act may be in conflict  
42 therewith.

43 12. (New Section) In addition to the powers granted in this  
44 act, the director may:

45 a. Make, adopt and amend rules and regulations appropriate to  
46 the carrying out of this act.

47 b. Extend, for cause shown by general regulation or individual  
48 authorization, the time of filing any return for a period not

1 exceeding three months on such terms and conditions as the  
2 director may require; and for cause shown, remit penalties and  
3 interest as provided for in the State Tax Uniform Procedure Law,  
4 R.S.54:48-1 et seq.

5 c. Delegate functions and powers to any officer or employee  
6 of the division, and such of the director's powers as the director  
7 may deem necessary to carry out efficiently the provisions of this  
8 act, and the person or persons to whom such power has been  
9 delegated shall possess and may exercise all of the power and  
10 perform all of the duties as delegated.

11 d. Require any distributor or wholesaler required to collect tax  
12 to keep detailed records of all receipts, charged or accrued, and  
13 names and addresses of wholesalers, distributors, retail dealers  
14 and consumers, and other facts relevant in determining the  
15 amount of tax due and to furnish such information upon request  
16 to the director.

17 e. Assess, determine, revise and readjust the taxes imposed by  
18 this act.

19 f. Enter into agreements with other states and the District of  
20 Columbia, providing for the reciprocal enforcement of similar tax  
21 laws imposed by the states entering into such an agreement. The  
22 agreement may empower the duly authorized officer of any  
23 contracting state, which extends like authority to officers or  
24 employees of this State, to sue for the collection of that state's  
25 taxes in the courts of this State.

26 13. (New Section) Any person failing to file a return or to pay  
27 or pay over any tax to the director within the time required by  
28 this act shall be subject to such penalties and interest as are  
29 provided in the State Tax Uniform Procedure Law, R.S.54:48-1 et  
30 seq. Unpaid penalties and interest may be determined, assessed,  
31 collected and enforced in the same manner as the tax imposed by  
32 this act.

33 14. (New Section) a. Any aggrieved taxpayer may, within 90  
34 days after any decision, order, finding, assessment or action of  
35 the director made pursuant to the provisions of this act, appeal  
36 therefrom to the tax court in accordance with the provisions of  
37 the State Tax Uniform Procedure Law, R.S.54:48-1 et seq.

38 b. The appeal provided by this section shall be the exclusive  
39 remedy available to any taxpayer for review of a decision of the  
40 director in respect of the determination of the liability of the  
41 taxpayer for the taxes imposed by this act.

42 15. Section 301 of P.L.1948, c.65 (C.54:40A-8) is amended to  
43 read as follows:

44 301. Tax imposed; rate. A tax is hereby imposed on the sale,  
45 use or possession for sale or use within this State of all cigarettes  
46 at the rate of [\$0.09 1/2] \$0.02 for each [10 cigarettes or  
47 fraction thereof] cigarette [and a surtax equal to a percent of the  
48 average wholesale price, which percent shall be the same as the



1 rate of tax imposed on retail sales pursuant to the "Sales and Use  
2 Tax Act," P.L.1966, c.30 (C.54:32B-1 et seq.), rounded to the  
3 next highest cent but not less than \$0.02 1/2 for each 10  
4 cigarettes or fraction thereof. For packs containing 25  
5 cigarettes the total tax and surtax shall be 125% of the tax and  
6 surtax on packs containing 20 cigarettes].

7 (cf: P.L.1985, c.341, s.1)

8 16. Section 401 of P.L.1948, c.65 (C.54:40A-11) is amended to  
9 read as follows:

10 401. Director to provide revenue stamps. The taxes imposed  
11 and levied by this act shall be paid through the use of stamps,  
12 except as provided in section 205 (Consumers) of this act. The  
13 director shall secure stamps of such designs and denominations as  
14 he shall prescribe, suitable to be affixed to packages, and provide  
15 for the sale thereof to licensed distributors. Only licensed  
16 distributors shall affix and cancel stamps and no distributor shall  
17 affix or cancel any stamp except at the tax rate in effect on the  
18 date of such affixing or cancellation; except that on the effective  
19 date of a tax rate increase [or of a surtax or of an increase in a  
20 surtax,] imposed under this act, licensed distributors and  
21 wholesale dealers must take a physical inventory of cigarettes on  
22 hand at the close of business prior to the date of the tax increase  
23 [or surtax or surtax increase] imposed under this act and must pay  
24 any additional tax for all cigarettes bearing stamps at the rate in  
25 effect prior to the tax increase. The director shall prescribe the  
26 method of collecting the additional tax. The director shall not  
27 authorize any person to sell revenue stamps except his duly  
28 constituted agents and assistants. On sales of revenue stamps the  
29 director shall allow, as compensation for the services and  
30 expenses of the distributor in affixing and handling of such  
31 stamps, a discount of 1.80% of the face amount of any sale of  
32 1,000 stamps or more; provided, that the distributor has complied  
33 with all the provisions of this act [, and provided, however, that  
34 the director shall be empowered to adjust such discount whenever  
35 an increase in the surtax is required under section 4 of P.L.1982,  
36 c.40 (C.54:40A-8.2)]; and, provided, further, however, that the  
37 director shall be empowered to adjust such discount to provide  
38 equivalent compensation with respect to the face value of each  
39 1,000 stamps or more [required for packages of cigarettes which  
40 contain 25 cigarettes]. No discount shall be allowed on any sale of  
41 less than 1,000 stamps and stamps shall not be sold in blocks of  
42 less than 100 stamps.

43 (cf: P.L.1987, c.37, s.2)

44 17. (New section) Each retail licensee under P.L.1948, c.65  
45 (C.54:40A-1 et seq.) shall, on or before the 1st day of the 2nd  
46 month after the effective date of P.L. ...., c. .... (C. ....) (now  
47 pending before the Legislature as this bill), file a return under  
48 oath or certified under the penalties of perjury, with the director

1 on forms furnished by the director, showing the amount of  
2 cigarettes in the retail licensee's possession in the State at 12:01  
3 a.m. on the effective date of P.L. ...., c. .... (C. ....) (now pending  
4 before the Legislature as this bill), and shall at the time of filing  
5 that return pay the tax to the director. Failure to obtain such  
6 forms shall not be an excuse for the failure to make a return  
7 containing the information required by the director.

8 18. Section 5 of P.L.1982, c.40 (C.54:40A-37.1) is amended to  
9 read as follows:

10 5. The sum of \$1,000,000.00 of the [surtax collected under the  
11 provisions of this 1982 amendatory and supplementary act] the  
12 tax collected pursuant to section 301 of P.L.1948, c.65  
13 (C.54:40A-8), shall be deposited by the State Treasurer in a  
14 special account to be known as the Cancer Research Fund, except  
15 that for Fiscal Year 1983 only \$500,000.00 shall be deposited in  
16 that account. Moneys in the Cancer Research Fund shall be  
17 annually appropriated toward the funding of the New Jersey State  
18 Commission on Cancer Research [(to be) established pursuant to  
19 [Assembly Bill No. 531 or Senate Bill No. 390 of 1982]] P.L.1983,  
20 c.6 (C.52:9U-1 et seq.), or to projects authorized and approved by  
21 the commission.

22 (cf: P.L.1982, c.40, s.5)

23 19. Section 4 of P.L.1982, c.40 (C.54:40A-8.2) is repealed.

24 20. Sections 1 through 14 and section 20 of this act shall take  
25 effect immediately and shall apply to tobacco products delivered  
26 to retail dealers or consumers on and after July 1, 1990, even if  
27 rendered under a contract entered into prior to that date and  
28 sections 15 through 19 shall take effect at 12:01 a.m. on July 1,  
29 1990.

30  
31  
32 STATE TAXATION

33  
34 Establishes a wholesale sales and use tax of 24% upon certain  
35 tobacco products, levies the cigarette excise tax on a per  
36 cigarette basis at a rate equal to \$0.40 per pack of 20 cigarettes  
37 and repeals the cigarette surtax.

## STATEMENT

1  
2  
3 This bill increases the surtax on the wholesale price of  
4 cigarettes from 6% to 16.4% effective July 1, 1990. It also  
5 makes a technical adjustment to the law in order to levy taxes  
6 per cigarette rather than per quantities of ten. This will allow  
7 for ease of calculation if cigarettes ever are sold in quantities  
8 other than packs of 20. The bill also makes certain technical  
9 adjustments to the law concerning cigarette revenue stamp  
10 discounts for distributors and provides collection and payment  
11 transitional provisions to ensure payment of the higher rate by  
12 licensed distributors, wholesale dealers and retail licensees upon  
13 the effective date of the bill.

## STATE TAXATION

14  
15  
16  
17  
18 Increases cigarette surtax rate from 6% to 16.4% and levies tax  
19 and surtax per cigarette.

ASSEMBLY APPROPRIATIONS COMMITTEE

STATEMENT TO

ASSEMBLY COMMITTEE SUBSTITUTE FOR

ASSEMBLY, Nos. 3608 and 3613

STATE OF NEW JERSEY

DATED: JUNE 14, 1990

The Assembly Appropriations Committee reports favorably the Assembly Committee Substitute for Assembly Bill Nos. 3608 and 3613.

The Assembly Committee Substitute for Assembly Bill Nos. 3608 and 3613 changes the taxation of cigarettes and other tobacco products.

The committee substitute imposes a 24% wholesale sales tax upon the receipts from the sale of tobacco products by a distributor or a wholesaler to a retail dealer or consumer. Tobacco products are defined to include, but not be limited to, cigars, chewing tobacco, pipe tobacco, smoking tobacco and snuff. The definition specifically excludes cigarettes taxed under the "Cigarette Tax Act," P.L.1948, c.65 (C.54:40A-1 et seq.). Each wholesaler or distributor will be required to file a return and pay the tax on a monthly basis. The bill provides for the payment of a compensating use tax at the same rate as the wholesale sales tax if a taxable sale of the product, as defined by the bill, does not take place. The tax will apply to wholesale transactions made on and after July 1, 1990.

Tobacco products are currently subject to the retail sales and use tax but not to wholesale sales or excise taxes.

Cigarettes are currently taxed in two ways under the "Cigarette Tax Act," P.L.1948, c.65 (C.54:40A-1 et seq.). An excise tax is imposed at the rate of \$0.095 per each ten cigarettes (\$0.19 per 20-pack). There is also a 6% surtax on the average wholesale price of cigarettes, rounded to the next highest cent. The Director of the Division of Taxation may adjust the surtax every six months, based on changes in average wholesale prices. Taken together, the current excise tax and surtax on a pack of 20 cigarettes is \$0.27. There is currently no retail sales tax imposed on cigarettes.

This committee substitute repeals the cigarette wholesale surtax and increases the excise tax to the equivalent of \$0.40 per pack, effective July 1, 1990. It also amends the law to levy the excise tax on a per-cigarette basis, rather than per each 10 cigarettes. This allows for a simplified tax calculation when cigarettes are sold in quantities other than packs of 20. Certain technical adjustments are made concerning cigarette revenue stamp discounts for distributors, and collection and payment transitional provisions are included to ensure payment of the higher tax rate by licensed distributors, wholesale dealers and retail licensees upon the effective date of the bill.

### COMMITTEE SUBSTITUTE

As referred to the committee, Assembly Bill No. 3608 increased the surtax on the wholesale price of cigarettes from 6% to 16.4%, effective July 1, 1990. The committee substitute increases the per-unit excise tax instead, but in an amount that is nearly equivalent to the proposed surtax increase. Assembly Bill No. 3613 imposed a 24% wholesale sales tax on other tobacco products. That bill's provisions have been incorporated into this committee substitute.

### FISCAL IMPACT

A fiscal note has not been completed on this committee substitute. However, the committee estimates that the increase in the cigarette excise tax will raise approximately \$90 million in fiscal year 1991 and the imposition of a wholesale sales tax on other tobacco products will raise approximately \$10 million, for a total of \$100 million in additional revenues to the General Fund. In fiscal year 1990, it is estimated that approximately \$195 million will be collected from the cigarette excise tax and surtax.