S T A T E O F N E W Y O R K

1093--A

2011-2012 Regular Sessions

I N A S S E M B L Y

(PREFILED)

January 5, 2011

Introduced by M. of A. SCHIMEL, DenDEKKER, MURRAY, HEVESI -- read once and referred to the Committee on Ways and Means -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the tax law, in relation to the tax on certain tobacco products

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

Section 1. Paragraph (a) of subdivision 1 of section 471-b of the tax law, as amended by section 18 of part D of chapter 134 of the laws of 2010, is amended to read as follows:

(a) Such tax on tobacco products other than CIGARS, snuff and little cigars shall be at the rate of seventy-five percent of the wholesale price, and is intended to be imposed only once upon the sale of any tobacco products other than snuff and little cigars.

S 2. Subdivision 1 of section 471-b of the tax law is amended by adding a new paragraph (d) to read as follows:

(D) SUCH TAX ON CIGARS SHALL BE AT THE RATE OF SEVENTY-FIVE PERCENT OF THE WHOLESALE PRICE OR ONE DOLLAR PER CIGAR, WHICHEVER IS LESS.

S 3. Paragraph (i) of subdivision (a) of section 471-c of the tax law, as amended by section 20 of part D of chapter 134 of the laws of 2010, is amended to read as follows:

(i) Such tax on tobacco products other than CIGARS, snuff and little cigars shall be at the rate of seventy-five percent of the wholesale price.

S 4. Subdivision (a) of section 471-c of the tax law is amended by adding a new paragraph (iv) to read as follows:

(IV) SUCH TAX ON CIGARS SHALL BE AT THE RATE OF SEVENTY-FIVE PERCENT OF THE WHOLESALE PRICE OR ONE DOLLAR PER CIGAR, WHICHEVER IS LESS.

S 5. This act shall take effect immediately.

EXPLANATION--Matter in ITALICS (underscored) is new; matter in brackets [ ] is old law to be omitted.

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