STATE OF NEW YORK

3376

2023-2024 Regular Sessions

IN ASSEMBLY

February 2, 2023

Introduced by M. of A. WOERNER, STECK, FAHY -- read once and referred to the Committee on Ways and Means

AN ACT to amend the tax law, in relation to excise taxes on premium cigars

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

Section 1. Section 470 of the tax law is amended by adding a new subdivision 22 to read as follows:

22. "Premium cigar" has the same meaning as defined by the federal food and drug administration.

§ 2. 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 **premium 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 **premium cigars,** snuff and little cigars.

§ 3. 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 premium cigars shall be at the rate of seventy-five percent of the wholesale price or fifty cents, whichever is less, and is intended to be imposed only once upon the sale of any premium cigars.

§ 4. 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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