STATE OF NEW YORK

8912

IN ASSEMBLY

January 26, 2024

Introduced by M. of A. RAMOS -- 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; and providing for the repeal of such provisions upon expiration thereof

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." A cigar that:

(a) is wrapped in whole leaf tobacco; and

(b) contains a one hundred percent leaf tobacco binder; and

(c) is made by manually combining the wrapper, filler, and binder; and

(d) has no filter, tip, or non-tobacco mouthpiece and is capped by hand; and

(e) weighs more than six pounds per one thousand units.

§ 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 This act shall take effect immediately and shall expire and be deemed repealed 3 years after such date.

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

LBD06291-04-4