

# STATE OF NEW YORK

3376--A

2023-2024 Regular Sessions

## IN ASSEMBLY

February 2, 2023

Introduced by M. of A. WOERNER, STECK, FAHY, VANEL, MCGOWAN, FLOOD, MANKTELOW, RAMOS, McDONALD, ZEBROWSKI, GRAY, GALLAHAN, BRABENEC, CUNNINGHAM -- 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 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:

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

3 22. "Premium cigar." A cigar that:

4 (a) is wrapped in whole leaf tobacco; and

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

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

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

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

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

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

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

19 (d) Such tax on premium cigars shall be at the rate of seventy-five  
20 percent of the wholesale price or fifty cents, whichever is less, and is  
21 intended to be imposed only once upon the sale of any premium cigars.

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23 deemed repealed 3 years after such date.

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

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