

SB 403-FN-A – AS INTRODUCED

2012 SESSION

12-3063

10/01

SENATE BILL **403-FN-A**

AN ACT relative to the report on tobacco tax revenues.

SPONSORS: Sen. Larsen, Dist 15; Sen. D'Allesandro, Dist 20; Sen. Kelly, Dist 10; Sen. Houde, Dist 5; Sen. Merrill, Dist 21; Rep. Norelli, Rock 16; Rep. Rosenwald, Hills 22; Rep. Almy, Graf 11; Rep. Wallner, Merr 12

COMMITTEE: Ways and Means

ANALYSIS

The bill changes the date of the report by the department of revenue administration for the contingency on tobacco tax revenues under 2011, 224:381.

Explanation: Matter added to current law appears in **bold italics**.
Matter removed from current law appears [~~in brackets and struckthrough.~~]
Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Twelve

AN ACT relative to the report on tobacco tax revenues.

Be it Enacted by the Senate and House of Representatives in General Court convened:

- 1 1 Tobacco Tax; Contingency; Reporting Date. Amend 2011, 224:381 to read as follows:
2 224:381 Contingency; Reporting of Tobacco Revenue. On or before [~~July 15, 2013~~] **June 15,**
3 **2012**, the department of revenue administration shall report to the speaker of the house of
4 representatives, the senate president, the fiscal committee of the general court, the secretary of
5 state, and the director of the office of legislative services, the amount of tobacco tax revenue received,
6 as reported in the department's daily cash basis revenue report, for the period of July 1, 2011
7 through [~~June 30, 2013~~] **May 31, 2012**. If the department reports that the amount of tobacco tax
8 revenue received for the period was below the amounts received for the period of July 1, [~~2009~~] **2010**
9 through [~~June 30~~] **May 31**, 2011, then sections 379 and 380 of this act shall take effect on [~~August 1,~~
10 ~~2013~~] **July 1, 2012**. If the department reports that the amount of tobacco tax revenue received for
11 the period was equal to or above the amount received for the period of July 1, [~~2009~~] **2010** through
12 [~~June 30~~] **May 31**, 2011, then sections 379 and 380 of this act shall not take effect.
13 2 Effective Date. This act shall take effect upon its passage.

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SB 403-FN-A - FISCAL NOTE

AN ACT relative to the report on tobacco tax revenues.

FISCAL IMPACT:

The Department of Revenue Administration states this bill will have an indeterminable impact on state revenue in FY 2013 and each year thereafter. This bill will have no fiscal impact on state, county, and local expenditures, or county and local revenue.

METHODOLOGY:

The Department of Revenue Administration (DRA) states this bill change the date of the report by the Department for the contingency on tobacco tax revenues pursuant to 2011, 224:381. Under this bill on June 15, 2012, DRA would report to the Speaker of the House of Representatives, the Senate President, the Fiscal Committee of the General Court, the Secretary of State, and the Director of Legislative Services the amount of tobacco tax revenue received for the period of July 1, 2011 through May 31, 2012 (FY 2012). The bill would compare tobacco tax revenue received during this period to the period of July 1, 2010 to May 31, 2011 (FY 2011). If the tobacco tax revenue for the period in FY 2012 is below the tobacco tax revenue received for the same period in FY 2011, the tobacco tax rate would increase from the current rate of \$1.68 for each pack of 20 cigarettes to \$1.78, and from 48% of the wholesale price for tobacco products other than cigarettes to 65.03%. Should the number of tobacco tax stamps and other tobacco products remain at fairly constant or higher levels then there would be an increase in tobacco tax revenue going forward as a result. The Department is unable to determine the exact fiscal impact at this time.