

Department of Finance and Administration

Legislative Impact Statement

Bill: HB1618

Bill Subtitle: TO REQUIRE WHOLESALERS TO REPORT CERTAIN INFORMATION TO THE ARKANSAS TOBACCO CONTROL BOARD; AND TO PROTECT INFORMATION IN THE REQUIRED REPORT FROM DISCLOSURE.

Basic Change :

Representative Baine

The bill requires licensed Arkansas cigarette wholesalers to file detailed monthly reports to Arkansas Tobacco Control of all sales of cigarettes, cigars and other tobacco products sold to retailers and wholesalers both within the state and outside the state. The proposal also would exempt these reports from disclosure under the Freedom of Information Act of 1967, §25-19-101 et seq.

Revenue Impact :

None

Taxpayer Impact :

Tobacco wholesalers will be subject to additional reporting requirements.

Resources Required :

None

Time Required :

None

Procedural Changes :

None

Other Comments :

The reports required in this bill are to be used by the Arkansas Tobacco Control Board as an enforcement tool, but would also be available to taxing authorities and law enforcement agencies in the state to which deliveries were made.

Legal Analysis :

The bill requires wholesalers to file monthly reports with the Director of Arkansas Tobacco Control (ATC) of sales of cigarettes, cigars, and other tobacco products to retailers and other wholesalers. The information required in the reports includes the identity of each of the customers, including name, address, permit number, the quantity of sales and the specifics of the items sold.

The information contained in the reports may be shared with the appropriate taxing authority in a state to which deliveries shown on the report were made or provided to a requesting law enforcement agency. The bill requires the taxing authority or law enforcement agency to agree to maintain the confidentiality of the information, and the information continues to be exempt from disclosure under FOIA. The Bill contains an effective date of September 1, 2013.