

State of Arkansas

76th General Assembly

Regular Session, 1987 AS ENGROSSED 3/30/87

HOUSE BILL 1758

By: Representatives Northcutt and Goodwin

"AN ACT TO AMEND SUBSECTION (p) OF SECTION 2 OF ACT 546 OF 1977 AS AMENDED, [ARK. STATS. 84-4502(p)] AND SUBSECTION (b) OF SECTION 7 OF ACT 546 OF 1977 AS AMENDED, [ARK. STATS. 84-4507(b)] TO SUBJECT SNUFF TO THE ARKANSAS TOBACCO PRODUCTS TAX; AND FOR OTHER PURPOSES."

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

SECTION 1. Subsection (p) of Section 2 of Act 546 of 1977 as amended, the same being Arkansas Statutes 84-4502(p), is hereby amended to read as follows:

"(p) 'Tobacco Products' means all products containing tobacco for consumption and includes, but is not limited to, cigarettes, cigars, little cigars, cigarillos, chewing tobacco, smokeless tobacco, snuff, smoking tobacco, including pipe tobacco, and smoking tobacco substitutes."

SECTION 2. Subsection (b) of Section 7 of Act 546 of 1977 as amended, the same being Arkansas Statutes 84-4507(b), is hereby amended to read as follows:

"(b) The excise or privilege tax on tobacco products, other than cigarettes, on the first sale to wholesalers or retailers within the State is sixteen percent (16%) of the manufacturer's selling price. The tax shall be computed on the actual manufacturer invoice price before discounts and deals, and shall be paid by the wholesaler, or by the retailer if he purchases direct from the manufacturer."

SECTION 3. All laws and parts of laws in conflict with this Act are hereby repealed.

SECTION 4. EMERGENCY. It is hereby found and determined by the General Assembly of Arkansas that the excise tax on tobacco products does not presently extend to cover all commercially sold products made from tobacco and that to achieve tax equity in the taxation of tobacco products the excise tax for such products should extend to snuff as well as other products made from tobacco and that in order to correct this tax inequity, it is essential the tax on tobacco products include snuff in its application. Therefore, an emergency is hereby declared to exist and this Act being necessary for the immediate preservation of the public peace, health and safety shall be in full force from and after its passage and approval.

/s/ Northcutt and Goodwin

