

SENATE BILL 404

Q7

71r1106
CF 71r1006

By: **Senators Hogan, Brinkley, Currie, McFadden, Munson, Robey, and Stoltzfus**

Introduced and read first time: February 2, 2007

Assigned to: Budget and Taxation

A BILL ENTITLED

1 AN ACT concerning

2 **Tobacco Tax – Moist Snuff**

3 FOR the purpose of altering the tax rate for the tobacco tax on certain tobacco
4 intended to be placed in the oral cavity; altering the information required to be
5 stated in a tobacco tax return; defining a certain term; and generally relating to
6 the tobacco tax on certain tobacco intended to be placed in the oral cavity.

7 BY adding to

8 Article – Tax – General

9 Section 12–101(b–1)

10 Annotated Code of Maryland

11 (2004 Replacement Volume and 2006 Supplement)

12 BY repealing and reenacting, with amendments,

13 Article – Tax – General

14 Section 12–105(b) and 12–202

15 Annotated Code of Maryland

16 (2004 Replacement Volume and 2006 Supplement)

17 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
18 MARYLAND, That the Laws of Maryland read as follows:

19 **Article – Tax – General**

20 12–101.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 **(B-1) "MOIST SNUFF" MEANS ANY FINELY CUT, GROUND, OR POWDERED**
2 **TOBACCO, OTHER THAN DRY SNUFF, THAT IS INTENDED TO BE PLACED IN THE**
3 **ORAL CAVITY.**

4 12-105.

5 (b) (1) [The] **EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS**
6 **SUBSECTION, THE** tobacco tax rate for other tobacco products is 15% of the wholesale
7 price of the tobacco products.

8 **(2) FOR MOIST SNUFF, THE TOBACCO TAX RATE IS 39 CENTS FOR**
9 **EACH OUNCE OF NET WEIGHT OF THE PRODUCT AS LISTED BY THE**
10 **MANUFACTURER AND A PROPORTIONATE AMOUNT FOR EACH FRACTION OF AN**
11 **OUNCE IN EXCESS OF A WHOLE OUNCE OF NET WEIGHT OF THE PRODUCT.**

12 12-202.

13 (a) A wholesaler shall complete and file with the Comptroller a tobacco tax
14 return:

15 (1) for cigarettes:

16 (i) on or before the 21st day of the month that follows the
17 month in which the wholesaler has the first possession, in the State, of unstamped
18 cigarettes for which tax stamps are required; and

19 (ii) if the Comptroller so specifies, by regulation, on other dates
20 for each month in which the wholesaler does not have the first possession of any
21 unstamped cigarettes in the State; and

22 (2) for other tobacco products, on the dates and for the periods that the
23 Comptroller specifies by regulation.

24 (b) Each return shall state the quantity of cigarettes, **THE NET WEIGHT OF**
25 **MOIST SNUFF AS LISTED BY THE MANUFACTURER,** or the wholesale price of other
26 tobacco products **OTHER THAN MOIST SNUFF** sold during the period that the return
27 covers.

28 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
29 July 1, 2007.