

---

**HOUSE COMMITTEE AMENDMENTS**

Amendments proposed by House Committee on Judiciary to Original House Bill No. 641  
by Representative Thompson

---

**1** AMENDMENT NO. 1

**2** On page 1, line 2, after "5073(A)(3)(a)(v)," and before "5075" delete "(B)(2) through (4)"  
**3** and insert "(B)(2)(a), (3) and (4), and (C)"

**4** AMENDMENT NO. 2

**5** On page 1, line 3, after "5077" and before "R.S. 26:904(A)" change the semi-colon ";" to a  
**6** comma ","

**7** AMENDMENT NO. 3

**8** On page 1, line 3, after "and 921;" and before "and" delete "R.S. 39:98.7(B);"

**9** AMENDMENT NO. 4

**10** On page 1, line 4, after "851(B)," and before "862" insert "857,"

**11** AMENDMENT NO. 5

**12** On page 1, line 5, after "865(C)(3)(b) and (c)" and before the comma "," insert  
**13** "(introductory paragraph) and (i)"

**14** AMENDMENT NO. 6

**15** On page 1, line 5, after "1508(B)(11)" and before "to" change the semi-colon ";" to a comma  
**16** ","

**17** AMENDMENT NO. 7

**18** On page 1, line 6, after "5078" and before "R.S." change the semi-colon ";" to a comma ","

**19** AMENDMENT NO. 8

**20** On page 1, line 8, after "918(C) and (D)" and before "R.S." change the semi-colon ";" to a  
**21** comma ","

**22** AMENDMENT NO. 9

**23** On page 1, line 9, after "851(E) and (F)" and before the semi-colon ";" insert a comma ","  
**24** and insert "and 1520(A)(1)(g)"

**25** AMENDMENT NO. 10

**26** On page 1, line 9, after "875" and before "to" change the semi-colon ";" to a comma ","  
**27** and insert "relative to tobacco enforcement;"

**28** AMENDMENT NO. 11

**29** On page 1, line 18, after "enforcement;" delete the remainder of the line and line 19 in its  
**30** entirety

1 AMENDMENT NO. 12

2 On page 1, at the beginning of line 20, delete "Settlement Agreement;"

3 AMENDMENT NO. 13

4 On page 2, line 2, after "5073(A)(3)(a)(v)," and before "5075" delete "(B)(2) through (4),"  
5 and insert "(B)(2)(a), (3) and (4), and (C),"

6 AMENDMENT NO. 14

7 On page 3, line 5, after "this" and before "shall" change "Act" to "Chapter"

8 AMENDMENT NO. 15

9 On page 3, line 25, after "in" and before "state" change "hat" to "that"

10 AMENDMENT NO. 16

11 On page 4, line 15, after "include" and before "cigarettes" insert "(a)"

12 AMENDMENT NO. 17

13 On page 4, line 16, after "as" and before "roll-your-own" insert "(b)"

14 AMENDMENT NO. 18

15 On page 4, line 25, after "under" and before "and" change "26 U.S.C. §5713" to "26 USC  
16 5713"

17 AMENDMENT NO. 19

18 On page 5, line 19, after "established" and before "in" delete "by" and on the same line after  
19 "this" and before "for" change "part" to "Part"

20 AMENDMENT NO. 20

21 On page 6, line 14, after "that" and before "be" delete "would, if done in this state," and  
22 insert "if, they had occurred in this state, would"

23 AMENDMENT NO. 21

24 On page 6, line 15, after "this" and before the comma "," change "section" to "Section"

25 AMENDMENT NO. 22

26 On page 6, at the beginning of line 19, change "subsection" to "Subsection"

27 AMENDMENT NO. 23

28 On page 7, at the end of line 9, after "state," insert "or import for personal consumption in  
29 this state"

30 AMENDMENT NO. 24

31 On page 7, line 14, after "stamped" and before "unstamped" change "of" to "or" and on the  
32 same line after "than" and before "days" delete "15" and insert "sixty"

1 AMENDMENT NO. 252 On page 7, at the end of line 23, delete "herein." and insert "in this Section."3 AMENDMENT NO. 26

4 On page 8, line 1, after "count," and before "purchased" delete "that they"

5 AMENDMENT NO. 276 On page 8, line 14, after the colon ":" and before "total" delete "the" and insert "(1) The"7 AMENDMENT NO. 288 On page 8, line 16, after "cigarettes" and before "manufacturers" delete "(i) the" and insert  
9 a period "." and insert "(2) The"10 AMENDMENT NO. 2911 On page 8, line 17, after "cigarettes" and before "brand" delete "(ii) the" and insert a period  
12 "." and insert "(3) The" and on the same line, after "and" and before "purchasers" delete "(iii)  
13 the" and insert a period "." and insert "(4) The"14 AMENDMENT NO. 3015 On page 8, line 20, after "Subsection" and before "of" change "B" to "C"16 AMENDMENT NO. 3117 On page 8, at the beginning of line 24, delete "15 U.S.C. §376" and insert "15 USC 376"18 AMENDMENT NO. 3219 On page 9, line 2, after "et seq." and before "also" insert "shall"20 AMENDMENT NO. 3321 On page 9, line 9, after "local" and before "only" delete "agencies" and insert "taxing  
22 agencies or law enforcement authorities"23 AMENDMENT NO. 3424 On page 10, line 8, after "shall" and before "each" delete "invoice" and insert "provide notice  
25 to"26 AMENDMENT NO. 3527 On page 10, line 10, after "brand" and before "families" delete "of"28 AMENDMENT NO. 3629 On page 10, line 14, after "and" and before "consent" insert "shall"30 AMENDMENT NO. 3731 On page 11, line 2, after "state," and before "in" insert "or imported for personal consumption  
32 in this state,"

1 AMENDMENT NO. 382 On page 13, line 29, after "years" and before "the" insert a comma " , "3 AMENDMENT NO. 394 On page 14, line 9, after "of" and before "one" delete "(i)" and on the same line after "or"  
5 and before "the" delete "(ii)"6 AMENDMENT NO. 407 On page 14, line 28, after "(19)" and before "has" change "Brand Family" to "Brand  
8 family"9 AMENDMENT NO. 4110 On page 15, line 1, after "(20)" and before "means" change "Exporter License" to  
11 "Exporter license"12 AMENDMENT NO. 4213 On page 15, between lines 2 and 3, insert "(21) A 'knowing violation or failure' is where  
14 the person knowingly or intentionally engaged in conduct without a good faith belief that the  
15 conduct was consistent with the provision of this Chapter."16 AMENDMENT NO. 4317 On page 15, at the beginning of line 3, change "(21)" to "(22)"18 AMENDMENT NO. 4419 On page 15, at the beginning of line 5, change "(22)" to "(23)"20 AMENDMENT NO. 4521 On page 15, at the beginning of line 8, change "(23)" to "(24)"22 AMENDMENT NO. 4623 On page 15, at the beginning of line 15, delete "(24) 'Sales Entity Affiliate'" and insert "(25)  
24 'Sales entity affiliate'"25 AMENDMENT NO. 4726 On page 15, at the beginning of line 20, change "(25)" to "(26)"27 AMENDMENT NO. 4828 On page 15, at the beginning of line 24, change "(26)" to "(27)"29 AMENDMENT NO. 4930 On page 16, line 11, after "business" delete the remainder of the line and lines 12 and 13 in  
31 their entirety and insert "or affixes tax stamps of another state shall first apply for an  
32 exporter license allowing it to purchase or possess unstamped or non-tax paid cigarettes."33 AMENDMENT NO. 5034 On page 16, line 27, after "that" and before "will" change "it" to "they"

1 AMENDMENT NO. 512 On page 17, at the beginning of line 10, change "Act" to "Chapter"3 AMENDMENT NO. 524 On page 17, line 25, after "inventory" and before "in" insert "pursuant to Paragraph (2) of  
5 this Subsection."6 AMENDMENT NO. 53

7 On page 18, at the end of line 11, delete the comma " , "

8 AMENDMENT NO. 549 On page 18, line 12, after "(2)" and before "an" delete "Files" and insert "Knowingly files"  
10 and on the same line after "report" and before "certification" delete "and/or" and insert "or"11 AMENDMENT NO. 5512 On page 18, line 13, after "R.S. 47:841 et seq." delete the comma " , " and the remainder of  
13 the line and line 14 in its entirety14 AMENDMENT NO. 5615 On page 18, line 17, after "than" and before "days" delete "fifteen" and insert "sixty"16 AMENDMENT NO. 5717 On page 20, line 4, change "R.S. 26:916(H)(4)-(5)" to "R.S. 26:916(H)(4) or (5)"18 AMENDMENT NO. 5819 On page 20, line 7, change "R.S. 26:916(H)(4)-(5)" to "R.S. 26:916(H)(4) or (5)"20 AMENDMENT NO. 5921 On page 20, line 8, after "of" and before the comma " , " change "R.S. 26:916(H)(1)-(3)" to  
22 "R.S. 26:916(H)(1) through (3)"23 AMENDMENT NO. 6024 On page 20, line 10, after "of" and before the comma " , " change "R.S. 26:916(H)(4)-(6)" to  
25 "R.S. 26:916(H)(4) through (6)"26 AMENDMENT NO. 61

27 On page 20, delete lines 26 through 28 in their entirety

28 AMENDMENT NO. 62

29 On page 21, delete lines 1 through 8 in their entirety

30 AMENDMENT NO. 63

31 On page 21, at the beginning of line 9, change "Section 4." to "Section 3."

32 AMENDMENT NO. 64

1 On page 21, line 12, after "(F)" and before "are" insert "and 1520(A)(1)(9)"

2 AMENDMENT NO. 65

3 On page 21, line 17, after "(16)" and before "has" change "Brand Family" to "Brand  
4 family"

5 AMENDMENT NO. 66

6 On page 21, line 24, after "in" and before "into" change "on" to "or"

7 AMENDMENT NO. 67

8 On page 22, line 1, after "(20)" and before "means" change "Sales Entity Affiliate" to  
9 "Sales entity affiliate"

10 AMENDMENT NO. 68

11 On page 22, line 22, after "provided" and before the comma "," insert "in this Chapter"

12 AMENDMENT NO. 69

13 On page 23, line 3, after "with" and before "and" change "R.S. 26:902(4)(a)" to "R.S.  
14 26:902(5)(a)"

15 AMENDMENT NO. 70

16 On page 23, line 11, after "with" and before "and" change "R.S. 26:902(4)(a)" to "R.S.  
17 26:902(5)(a)"

18 AMENDMENT NO. 71

19 On page 23, line 29, after "sale" delete the remainder of the line

20 AMENDMENT NO. 72

21 On page 24, at the beginning of line 1, delete "cigarettes in or into the state"

22 AMENDMENT NO. 73

23 On page 24, line 10, after "of stamping" insert a period "." and delete the remainder of the  
24 line and line 11 in its entirety

25 AMENDMENT NO. 74

26 On page 24, line 17, after "manufacturer" and before "importer" delete "or" and insert a  
27 comma "," and on the same line after "importer" and before "may" insert a comma "," and  
28 insert "or sales entity affiliate"

29 AMENDMENT NO. 75

30 On page 24, line 18, after "possess," and before "or" change "transports" to "transport" and  
31 on the same line after "cigarettes" delete the remainder of the line and delete line 19 in its  
32 entirety

33 AMENDMENT NO. 76

34 On page 24, at the beginning of line 20, delete "cigarettes"

1 AMENDMENT NO. 77

2 On page 25, line 4, after "and" delete the remainder of the line and insert "submits a report  
3 pursuant to R.S. 47:851(E)."

4 AMENDMENT NO. 78

5 On page 25, delete line 5 in its entirety

6 AMENDMENT NO. 79

7 On page 27, at the end of line 2, change the semi-colon ";" to a period "."

8 AMENDMENT NO. 80

9 On page 27, line 17, after "transfer," delete the remainder of the line and insert "the state in  
10 which the recipient of those cigarettes is located, and"

11 AMENDMENT NO. 81

12 On page 27, at the beginning of line 18, delete "address of the recipient of those cigarettes."

13 AMENDMENT NO. 82

14 On page 27, line 19, after "purchase" delete the remainder of the line and insert "the state of  
15 the seller or sender of those cigarettes."

16 AMENDMENT NO. 83

17 On page 27, delete lines 20 through 22 in their entirety

18 AMENDMENT NO. 84

19 On page 27, line 23, after "(b)" and before "the" delete "In" and insert "The following shall  
20 be provided to the attorney general or secretary upon request: in"

21 AMENDMENT NO. 85

22 On page 28, delete line 6 in its entirety, and insert "any federal, state, or local taxing agency  
23 or law enforcement authorities of this state or other states."

24 AMENDMENT NO. 86

25 On page 30, line 1, after "Subsection E" and before the comma "," insert "of this Section"

26 AMENDMENT NO. 87

27 On page 30, delete line 2 in its entirety, and insert "request, with any federal, state, or local  
28 taxing agency or law enforcement authorities of this state or other states."

29 AMENDMENT NO. 88

30 On page 30, between lines 3 and 4, insert the following:

31 "§857. Refunds

32 A. The collector may promulgate rules and regulations providing for the  
33 refund to dealer for the cost of stamps affixed to goods which by reason of damage  
34 become unfit for sale and are destroyed by dealer or returned to manufacturer or  
35 jobber.

1           B. The collector may refund a dealer for the cost of stamps affixed to goods,  
2           which were listed on the state directory at the time the stamps were affixed but have  
3           been subsequently removed from the state directory, upon proof that the goods have  
4           been destroyed, the date and location of the destruction, and must be signed by the  
5           individuals who witnessed the destruction. The collector may promulgate rules and  
6           regulations related to the destruction of the goods and the procedures for refund."

7    AMENDMENT NO. 89

8    On page 30, line 13, after "may" and before "and" change "posses" to "possess"

9    AMENDMENT NO. 90

10   On page 31, line 1, after "dealer" and before "tobacco" change "transportation" to  
11   "transporting"

12   AMENDMENT NO. 91

13   On page 31, delete lines 5 through 8 in their entirety

14   AMENDMENT NO. 92

15   On page 32, between lines 2 and 3, insert "(1) 'Cigarettes' shall have the meaning as set  
16   forth in R.S. 13:5062(4)(a) through (d)."

17   AMENDMENT NO. 93

18   On page 32, line 3, change "(1)" to "(2)"

19   AMENDMENT NO. 94

20   On page 32, line 5, change "(2)" to "(3)"

21   AMENDMENT NO. 95

22   On page 33, delete lines 8 and 9 in their entirety

23   AMENDMENT NO. 96

24   On page 32, line 13, change "(3)" to "(4)"

25   AMENDMENT NO. 97

26   On page 32, delete lines 15 and 16 in their entirety

27   AMENDMENT NO. 98

28   On page 33, at the end of line 24, delete "tobacco" and insert "cigarettes"

29   AMENDMENT NO. 99

30   On page 33, at the beginning of line 25, delete "products"

31   AMENDMENT NO. 100

32   On page 33, at the end of line 25, delete "tobacco" and insert "cigarettes"



1 AMENDMENT NO. 1012 On page 33, at the beginning of line 26, delete "products"3 AMENDMENT NO. 1024 On page 33, line 26, after the period "." and before "regardless" delete "This section applies"  
5 and insert "The provisions of this Section shall apply"6 AMENDMENT NO. 1037 On page 33, line 27, after "distributing" and before "is" delete "tobacco products" and insert  
8 "cigarettes"9 AMENDMENT NO. 10410 On page 34, line 15, after "the" and before "involved" delete "tobacco products" and insert  
11 "cigarettes"12 AMENDMENT NO. 10513 On page 34, line 18, after "the" and before "involved" delete "tobacco products" and insert  
14 "cigarettes"15 AMENDMENT NO. 10616 On page 34, line 21, after "the" and before "involved" delete "tobacco products" and insert  
17 "cigarettes"18 AMENDMENT NO. 10719 On page 34, line 27, after "Any" and before "sold" delete "tobacco products" and insert  
20 "cigarettes"21 AMENDMENT NO. 10822 On page 35, line 5, after "The" and before "commissioner" insert "attorney general,"23 AMENDMENT NO. 10924 On page 35, line 6, after "Control" and before "or" insert a comma ","25 AMENDMENT NO. 11026 On page 35, line 6, after "or" and before "designee" delete "his" and insert "either agency's"27 AMENDMENT NO. 11128 On page 35, line 24, after "wholesaler" and before "retailer" change "and" to "or" and after  
29 "manufacturer" and before "sales" insert a comma ","30 AMENDMENT NO. 11231 On page 36, line 4, after "local" and before "only" delete "agencies" insert "taxing agencies  
32 or law enforcement authorities"33 AMENDMENT NO. 113

34 On page 36, between lines 6 and 7, insert the following:

1           "§1520. Electronically filed returns; signatures  
2                    A.(1) The secretary may require electronic filing of tax returns or reports  
3           under any of the following circumstances:

4   \*       \*       \*  
5   (g) Persons required to file a report pursuant to R.S. 47:843 et seq.  
6   \*       \*       \*"

7   AMENDMENT NO. 114

8   On page 36, at the beginning of line 7, change "Section 5." to "Section 4.