

2023 Regular Session

HOUSE BILL NO. 111

BY REPRESENTATIVE HUGHES

TAX/TOBACCO TAX: Extends the tax exemption period for cigars and pipe tobacco products sampled at the Premium Cigar Association convention

1 AN ACT

2 To amend and reenact R.S. 47:854(B), relative to tobacco tax; to provide relative to the
3 products to which such tax applies; to provide relative to the exemption from such
4 tax for certain samples of cigars and pipe tobacco products; to revise provisions
5 terminating the exemption; and to provide for related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 47:854(B) is hereby amended and reenacted to read as follows:

8 §854. Declaration of intent and purpose of Chapter

9 * * *

10 B. It is further the intent and purpose of this Chapter that where a dealer
11 gives away cigars, cigarettes, or smoking tobacco for advertising or any other
12 purpose whatsoever the products shall be taxed in the same manner as if they were
13 sold, used, consumed, handled, or distributed in this state; however, for the taxable
14 periods beginning on and after January 1, 2013, through December 31, ~~2025~~, 2035,
15 this shall not be construed to include cigars or pipe tobacco, as defined and
16 appropriately labeled in accordance with the Federal Food, Drug, and Cosmetic Act,
17 the Family Smoking Prevention and Tobacco Control Act, also known as the
18 Tobacco Control Act, and all applicable state laws, federal laws, and regulations,
19 sampled on the premises of convention facilities during the convention of the

1 ~~International Premium Cigar and Pipe Retailers Association~~ Premium Cigar

2 Association or its successor.

3 * * *

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

HB 111 Engrossed

2023 Regular Session

Hughes

Abstract: Extends the period of the tobacco tax exemption for cigars and pipe tobacco products sampled at the Premium Cigar Association convention.

Present law (R.S. 47:841 et seq.) levies a tax upon the sale, use, consumption, handling, or distribution of cigars, cigarettes, smoking and smokeless tobacco, vapor products, and electronic cigarettes according to classifications and rates provided in present law.

Present law exempts from this tobacco tax cigars and pipe tobacco sampled on the premises of convention facilities during the convention of the International Premium Cigar and Pipe Retailers Association. Provides that the exemption is effective through Dec. 31, 2025.

Proposed law changes the exemption's termination date such that the exemption will remain in effect through Dec. 31, 2035.

Proposed law changes the name of the association referred to in present law and proposed law from the International Premium Cigar and Pipe Retailers Association to the Premium Cigar Association.

Proposed law otherwise retains present law.

(Amends R.S. 47:854(B))

Summary of Amendments Adopted by House

The Committee Amendments Proposed by House Committee on Ways and Means to the original bill:

1. Restore present law establishing a termination date for the exemption provided in present law.
2. Change the termination date for the exemption provided in present law from Dec. 31, 2025 to Dec. 31, 2035.
3. Change the name of the association referred to in present law and proposed law from the International Premium Cigar and Pipe Retailers Association to the Premium Cigar Association.