

HB0282HW002

1 Delete the Lindholm, et al. committee of the whole amendment
2 (HB0282HW001/A) entirely and further amend as follows:

3
4 Page 1-line 7 After "cigarettes;" insert "providing for the
5 reporting and taxation of floor stock as
6 specified; providing and modifying
7 definitions;".

8
9 Page 1-line 11 Delete "(iii)" and insert "(i), (iii) and
10 (v)".

11
12 Page 1-line 12 After "(ix) through (xi)" insert ", 39-18-102
13 by creating a new subsection (c)".

14
15 Page 2-after line 1 Insert:

16
17 "(i) "Tobacco products" means ~~any substance containing~~
18 ~~tobacco leaf, or any product made or derived from tobacco that~~
19 ~~contains nicotine, including, but not limited to, cigarettes,~~
20 ~~electronic cigarettes, cigars, pipe tobacco, snuff, chewing~~
21 ~~tobacco or dipping tobacco~~ as defined in W.S. 39-18-101(a)(x);" .

22
23 Page 2-after line 7 Insert:

24
25 "(v) "Electronic cigarette" means ~~a product that~~
26 ~~employs any mechanical heating element, battery or electronic~~
27 ~~circuit, regardless of shape or size, that can be used to deliver~~
28 ~~doses of nicotine vapor by means of heating a liquid nicotine~~
29 ~~solution contained in a cartridge or other delivery system~~ as
30 defined in W.S. 39-18-101(a)(ix)." .

31
32 Page 4-line 22 After "cigarettes and" delete balance of line.

33
34 Page 4-line 23 Delete entirely.

35
36 Page 5-line 1 Delete "papers, pipes and".

37
38 Page 5-after line 11 Insert:

39
40 "**39-18-102. Administration; confidentiality.**

41
42 (c) The department may promulgate necessary rules and
43 regulations to effectuate the purposes of this chapter." .

44

1 Page 6-after line 11 Insert:

2

3

"Section 2.

4

5 (a) Each Wyoming licensed wholesaler required to pay taxes
6 under W.S. 39-18-104 shall:

7

8 (i) Take a physical inventory of all cigarettes in
9 packages bearing Wyoming tax stamps, and all unaffixed Wyoming
10 cigarette tax stamps possessed by the wholesaler or in their
11 control at 11:59 p.m. on the effective date of this act;

12

13 (ii) File a return with the department not later than
14 ten (10) days after the effective date of this act, showing the
15 inventory taken under paragraph (i) of this subsection;

16

17 (iii) Pay a floor stock tax at a proportionate rate
18 equal to the increase in tobacco taxes under section 1 of this act
19 for all cigarettes in the possession or control of the wholesaler
20 at 11:59 p.m. on the effective date of this act.

21

22 (b) The floor stock tax imposed by subsection (a) of this
23 section may be paid in three (3) installments. The first
24 installment, in an amount equal to at least one third (1/3) of the
25 total amount due, shall be remitted with the return provided to
26 the department not later than ten (10) days following the effective
27 date of this act. The second installment, in an amount that brings
28 the total amount paid to at least two thirds (2/3) of the total
29 amount due, shall be remitted one (1) month following the due date
30 of the first installment. The third installment, in an amount equal
31 to the remaining balance, shall be remitted two (2) months
32 following the due date of the first installment. Penalties under
33 W.S. 39-18-108(c)(iv) shall not be imposed against any outstanding
34 installment payment not yet due from a wholesaler who files the
35 return and makes payments as required under this section.

36

37 (c) The department of revenue shall provide notice of the
38 effective date of this act to each Wyoming licensed wholesaler
39 required to pay taxes under W.S. 39-18-104 not less than fifteen
40 (15) days before the effective date of this act."

41

42 Page 6-line 13 Delete "2." and insert "3.". SOMMERS