

HOUSE BILL NO. _____

Medicaid funding-tobacco tax increase.

Sponsored by: Joint Labor, Health and Social Services
Interim Committee

A BILL

for

1 AN ACT relating to taxation and revenue; providing for an
2 increase in tobacco taxes as specified; providing for
3 distribution by continuous appropriation to the department
4 of health for the Wyoming medical assistance and services
5 program; and providing for an effective date.

6

7 *Be It Enacted by the Legislature of the State of Wyoming:*

8

9 **Section 1.** W.S. 39-18-104(a)(i), (ii), by creating a
10 new paragraph (iii), (b)(i), (ii), by creating a new
11 paragraph (iii), (c) and (d) and 39-18-111 by creating a
12 new subsection (d) are amended to read:

13

14 **39-18-104. Taxation rate.**

15

1 (a) There is levied and shall be collected and paid
2 to the department an excise tax upon the sale of each
3 cigarette sold by wholesalers as follows:

4

5 (i) Six-tenths of a cent (\$.006);~~and~~

6

7 (ii) Two and four-tenths cents (\$.024);~~and~~ and

8

9 (iii) Two cents (\$.02).

10

11 (b) There is levied and shall be paid to the
12 department an excise tax upon the use or storage by
13 consumers of cigarettes in Wyoming but only if the tax
14 imposed by subsection (a) of this section has not been paid
15 as follows:

16

17 (i) Six-tenths of a cent (\$.006);~~and~~

18

19 (ii) Two and four-tenths cents (\$.024);~~and~~ and

20

21 (iii) Two cents (\$.02).

22

23 (c) In addition to the other taxes imposed by this
24 section, there is levied and assessed upon cigars, snuff

1 and other tobacco products purchased or imported into this
2 state by wholesalers for resale, except cigarettes taxed
3 under this section, an excise tax at the rate of ~~twenty~~
4 ~~percent (20%)~~ thirty-three and thirty-three one hundredths
5 percent (33.33%) of the wholesale purchase price at which
6 the tobacco products are purchased by wholesalers from
7 manufacturers.

8
9 (d) The tax imposed by subsection (c) of this section
10 shall also be imposed upon the use or storage by consumers
11 of cigars, snuff and other tobacco products in this state,
12 and upon those consumers, at the rate of ~~ten percent (10%)~~
13 sixteen and sixty-seven one hundredths percent (16.67%) of
14 the retail price of the cigar, snuff or other tobacco
15 product. This tax shall not apply if the tax imposed by
16 subsection (c) of this section has been paid.

17

18 **39-18-111. Distribution.**

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20 (d) The revenue received from the tax imposed by W.S.
21 39-18-104(a)(iii) and (b)(iii), and forty percent (40%) of
22 the revenue from the tax imposed by W.S. 39-18-104(c) and
23 (d), shall be distributed to and is continuously
24 appropriated to the department of health for the Wyoming

1 medical assistance and services program created by title
2 42, chapter 4 of the Wyoming statutes.

3

4 **Section 2.** This act is effective July 1, 2006.

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6

(END)