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State of Minnesota

HOUSE OF REPRESENTATIVES

NINETIETH SESSION

H. F. No. 1363

02/16/2017 Authored by Davids
The bill was read for the first time and referred to the Committee on Taxes

1.1 A bill for an act
1.2 relating to taxation; tobacco products; modifying the tax structure for moist snuff;
1.3 amending Minnesota Statutes 2016, section 297F.05, subdivision 3.

1.4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.5 Section 1. Minnesota Statutes 2016, section 297F.05, subdivision 3, is amended to read:

1.6 Subd. 3. **Rates; tobacco products.** (a) Except as provided in paragraph (b) and
1.7 subdivision 3a, a tax is imposed upon all tobacco products in this state and upon any person
1.8 engaged in business as a distributor, at the rate of 95 percent of the wholesale sales price
1.9 of the tobacco products. The tax is imposed at the time the distributor:

1.10 (1) brings, or causes to be brought, into this state from outside the state tobacco products
1.11 for sale;

1.12 (2) makes, manufactures, or fabricates tobacco products in this state for sale in this state;
1.13 or

1.14 (3) ships or transports tobacco products to retailers in this state, to be sold by those
1.15 retailers.

1.16 (b) Notwithstanding paragraph (a), a minimum tax equal to the rate imposed on a pack
1.17 of 20 cigarettes weighing not more than three pounds per thousand, as established under
1.18 subdivision 1, is imposed on each container of moist snuff.

1.19 For purposes of this subdivision, a "container" means the smallest consumer-size can,
1.20 package, or other container that is marketed or packaged by the manufacturer, distributor,
1.21 or retailer for separate sale to a retail purchaser. when more than one container is packaged
1.22 together, each container is subject to tax. When a consumer-size can, package, or other

2.1 container of moist snuff contains the equivalent of multiple containers as defined in this
2.2 subdivision, each 1.2 ounces of moist snuff, or fraction thereof, shall be taxed at the rate in
2.3 paragraph (b).

2.4 **EFFECTIVE DATE.** This section is effective July 1, 2017.