

Fifty-sixth  
Legislative Assembly  
of North Dakota

## ENGROSSED HOUSE BILL NO. 1345

Introduced by

Representatives Rose, Jensen, Keiser, Winrich

Senators DeMers, Kelsh

1 A BILL for an Act to amend and reenact section 57-36-32 of the North Dakota Century Code,  
2 relating to the rate of tax on the sale of cigarettes; to provide an appropriation for school  
3 nursing project grants; and to provide an effective date.

4 **BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

5 **SECTION 1. AMENDMENT.** Section 57-36-32 of the North Dakota Century Code is  
6 amended and reenacted as follows:

7 **57-36-32. Separate and additional tax on the sale of cigarettes - Collection -**  
8 **Allocation of revenue - Tax avoidance prohibited.** There is hereby levied and assessed and  
9 there shall be collected by the state tax commissioner and paid to the state treasurer, upon all  
10 cigarettes sold in this state, an additional tax, separate and apart from all other taxes, of  
11 seventeen and one-half mills on each cigarette, to be collected as existing taxes on cigarettes  
12 sold are, or hereafter may be, collected, by use of appropriate stamps and under similar  
13 accounting procedures. No person, firm, corporation, or limited liability company shall transport  
14 or bring or cause to be shipped into the state of North Dakota any cigarettes as provided  
15 herein, other than for delivery to wholesalers in this state, without first paying the tax thereon to  
16 the state tax commissioner. All of the moneys collected by the state treasurer under this  
17 section ~~shall~~ must be credited to the state general fund, except the net revenue from one-half  
18 mill per cigarette of the tax imposed under this section must be deposited in the school nursing  
19 grant fund. The school nursing grant fund may be appropriated for grants for school nursing  
20 projects that are in compliance with sections 15-47-49 and 15-47-50.

21 **SECTION 2. APPROPRIATION.** There is hereby appropriated out of any moneys in  
22 the school nursing grant fund in the state treasury, not otherwise appropriated, the sum of  
23 \$1,000,000, or so much of the sum as may be necessary, to the state department of health for  
24 the purpose of providing matching grants to public health units to fund school nursing projects

1 that develop agreements with schools or school districts, for the biennium beginning July 1,  
2 1999, and ending June 30, 2001. A public health unit seeking a school nursing project grant  
3 under the appropriation authority of this section must provide matching funds equal to the  
4 amount of the grant. Matching funds under this section may come from any source available to  
5 the public health unit, including funding from other political subdivisions.

6 **SECTION 3. EFFECTIVE DATE.** This Act is effective for taxable events beginning  
7 after June 30, 1999.