

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 nursing
3 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 herein,
15 other than for delivery to wholesalers in this state, without first paying the tax thereon to the
16 state tax commissioner. All of the moneys collected by the state treasurer under this section
17 shall be credited to the state general fund.

18 **SECTION 2. APPROPRIATION.** There is hereby appropriated out of any moneys in
19 the general fund in the state treasury, not otherwise appropriated, the sum of \$1,000,000, or so
20 much of the sum as may be necessary, to the state department of health for the purpose of
21 providing matching grants to school districts to fund school nursing projects, for the biennium
22 beginning July 1, 1999, and ending June 30, 2001. A school district seeking a school nursing
23 project grant under the appropriation authority of this section must provide matching funds

1 equal to the amount of the grant. Matching funds under this section may come from any source
2 available to the school district, including funding from other political subdivisions.

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