

[First Reprint]  
**SENATE, No. 862**

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**STATE OF NEW JERSEY**  
**217th LEGISLATURE**

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PRE-FILED FOR INTRODUCTION IN THE 2016 SESSION

**Sponsored by:**

**Senator BRIAN P. STACK**

**District 33 (Hudson)**

**Senator LORETTA WEINBERG**

**District 37 (Bergen)**

**Co-Sponsored by:**

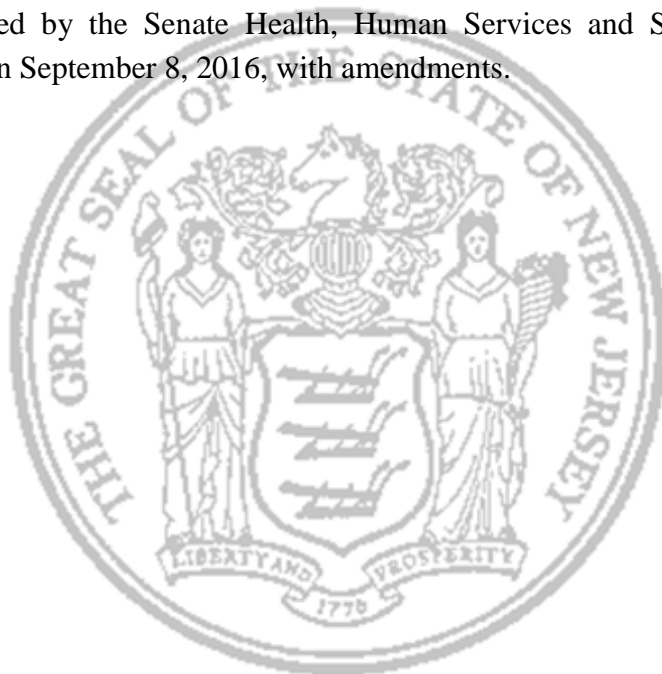
**Senators Gordon, Bateman and Madden**

**SYNOPSIS**

Dedicates one percent of cigarette tax revenue to anti-smoking initiatives.

**CURRENT VERSION OF TEXT**

As reported by the Senate Health, Human Services and Senior Citizens Committee on September 8, 2016, with amendments.



**(Sponsorship Updated As Of: 6/2/2017)**

1 AN ACT concerning the disposition of certain cigarette tax revenue  
2 and amending P.L.1997, c.264.

3

4 **BE IT ENACTED** by the Senate and General Assembly of the State  
5 of New Jersey:

6

7 1. Section 4 of P.L.1997, c.264 (C.26:2H-18.58g) is amended to  
8 read as follows:

9 4. Notwithstanding the provisions of any other law to the  
10 contrary,

11 a. commencing July 1, 1998 and ending June 30, 2006: after the  
12 deposit required pursuant to section 5 of P.L.1982, c.40 (C.54:40A-  
13 37.1), the first \$150,000,000 of revenue collected annually from the  
14 **【cigarette tax imposed pursuant to】** “Cigarette Tax Act,” P.L.1948,  
15 c.65 (C.54:40A-1 et seq.) and the first \$5,000,000 of revenue collected  
16 annually from the "Tobacco Products Wholesale Sales and Use Tax  
17 Act," P.L.1990, c.39 (C.54:40B-1 et seq.), shall be deposited into the  
18 Health Care Subsidy Fund established pursuant to section 8 of  
19 P.L.1992, c.160 (C.26:2H-18.58); and the next \$390,000,000 of  
20 revenue collected annually from the **【cigarette tax imposed pursuant**  
21 **to】** “Cigarette Tax Act,” P.L.1948, c.65 (C.54:40A-1 et seq.) shall be  
22 appropriated annually for health programs, and the next \$50,000,000  
23 of revenue collected annually from the **【cigarette tax imposed pursuant**  
24 **to】** “Cigarette Tax Act,” P.L.1948, c.65 (C.54:40A-1 et seq.) shall be  
25 appropriated annually to the New Jersey Economic Development  
26 Authority for payment of debt service incurred by the authority for  
27 school facilities projects and in fiscal years commencing July 1, 2002  
28 and July 1, 2003, the next \$30,000,000 of revenue collected annually  
29 from the **【cigarette tax imposed pursuant to】** “Cigarette Tax Act,”  
30 P.L.1948, c.65 (C.54:40A-1 et seq.) shall be directed to the  
31 Department of Health to fund anti-smoking initiatives, except that the  
32 amount shall be \$40,000,000 in the fiscal year commencing July 1,  
33 2004 and \$45,000,000 in the fiscal year commencing July 1, 2005; and

34 b. commencing with fiscal years beginning on and after July 1,  
35 2006, after the deposit required pursuant to section 5 of P.L.1982, c.40  
36 (C.54:40A-37.1), the first \$150,000,000 of revenue collected annually  
37 from the **【cigarette tax imposed pursuant to】** “Cigarette Tax Act,”  
38 P.L.1948, c.65 (C.54:40A-1 et seq.) and the first \$5,000,000 of  
39 revenue collected annually from the "Tobacco Products Wholesale  
40 Sales and Use Tax Act," P.L.1990, c.39 (C.54:40B-1 et seq.), shall be  
41 deposited into the Health Care Subsidy Fund established pursuant to  
42 section 8 of P.L.1992, c.160 (C.26:2H-18.58). In addition,  
43 commencing with fiscal years beginning on and after July 1, 2006 but  
44 before July 1, 2009, there shall be deposited \$215,000,000 of revenue

**EXPLANATION – Matter enclosed in bold-faced brackets **【thus】** in the above bill is not enacted and is intended to be omitted in the law.**

**Matter underlined thus is new matter.**

**Matter enclosed in superscript numerals has been adopted as follows:**

**<sup>1</sup>Senate SHH committee amendments adopted September 8, 2016.**

1 collected annually from the **【cigarette tax imposed pursuant to】**  
2 “Cigarette Tax Act,” P.L.1948, c.65 (C.54:40A-1 et seq.) in  
3 accordance with the provisions of section 5 of P.L.2004, c.68  
4 (C.34:1B-21.20), and, commencing with fiscal years beginning on and  
5 after July 1, 2009, there shall be deposited \$241,500,000 of revenue  
6 collected annually from the **【cigarette tax imposed pursuant to】**  
7 “Cigarette Tax Act,” P.L.1948, c.65 (C.54:40A-1 et seq.) in  
8 accordance with the provisions of section 5 of P.L.2004, c.68  
9 (C.34:1B-21.20). In addition, commencing with fiscal years beginning  
10 on and after July 1, **【2015】 2017<sup>1</sup>**, an amount equal to **【five】 one<sup>1</sup>**  
11 percent of the total revenues collected annually from the “Cigarette  
12 Tax Act,” P.L.1948, c.65 (C.54:40A-1 et seq.) and the “Tobacco  
13 Products Wholesale Sales and Use Tax Act,” P.L.1990, c.39  
14 (C.54:40B-1 et seq.) shall be directed to the Department of Health to  
15 fund anti-smoking initiatives.

16 (cf: P.L.2012, c.17, s.226)

17

18 2. This act shall take effect on July 1, **【2015】 2017<sup>1</sup>**.