

Floor Amendment To LB106

Introduced by Janssen, 15

25 Sec. 6. Section 77-4008, Reissue Revised Statutes of 26 Nebraska, is amended to read: 27
77-4008 (1) (1)(a) A tax is hereby imposed upon the first owner of tobacco products and 1 smoking
tobacco to be sold in this 2 state. 3 (b) The tax on tobacco products shall be sixty-five 4 cents per
ounce and a proportionate tax at the like rate on all 5 fractional parts of an ounce. Such tax shall be
computed based on 6 the net weight as listed by the manufacturer. Any product listed 7 by the
manufacturer as having a net weight of less than one ounce 8 shall be taxed as if the product has a net
weight of one ounce. 9 (c) The tax on smoking tobacco shall be twenty percent 10 of (a) (i) the
purchase price of such tobacco products paid by the 11 first owner or (b) (ii) the price at which a first
owner who made, 12 manufactured, or fabricated the tobacco product sells the items to 13 others.
Such tax 14 (d) The tax on tobacco products and smoking tobacco shall 15 be in addition to all other
taxes. 16 (2) Whenever any person who is licensed under section 17 77-4009 purchases tobacco
products or smoking tobacco from another 18 person licensed under section 77-4009, the seller shall
be liable 19 for the payment of the tax. 20 (3) On and after October 1, 2002, and continuing until 21
October 1, 2004, the Tax Commissioner shall remit the amount 22 collected pursuant to this section to
the State Treasurer, and the 23 State Treasurer shall credit three-fourths of such amount to the 24
General Fund and one-fourth of such amount to the Cash Reserve 25 Fund. On and after October 1,
2004, amounts collected 26 collected pursuant to this section shall be used and distributed 27
pursuant to section 77-4025.