

1-1 By: Wilson (Senate Sponsor - Armbrister) H.B. No. 3141
1-2 (In the Senate - Received from the House May 12, 2003;
1-3 May 13, 2003, read first time and referred to Committee on Business
1-4 and Commerce; May 23, 2003, reported adversely, with favorable
1-5 Committee Substitute by the following vote: Yeas 9, Nays 0;
1-6 May 23, 2003, sent to printer.)

1-7 COMMITTEE SUBSTITUTE FOR H.B. No. 3141 By: Williams

1-8 A BILL TO BE ENTITLED
1-9 AN ACT

1-10 relating to stamping of cigarettes in interstate commerce.
1-11 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:
1-12 SECTION 1. Section 154.152, Tax Code, is amended by adding
1-13 Subsections (c), (d), and (e) to read as follows:
1-14 (c) A person may not transport or cause to be transported
1-15 from this state cigarettes for sale in another state without first
1-16 affixing to the cigarettes the stamp required by the state in which
1-17 the cigarettes are to be sold or paying any other excise tax on the
1-18 cigarettes imposed by the state in which the cigarettes are to be
1-19 sold.
1-20 (d) A person may not affix to cigarettes the stamp required
1-21 by another state or pay any other excise tax on the cigarettes
1-22 imposed by another state if the other state prohibits stamps from
1-23 being affixed to the cigarettes, prohibits the payment of any other
1-24 excise tax on the cigarettes, or prohibits the sale of the
1-25 cigarettes.
1-26 (e) Not later than the 15th day after the end of each
1-27 calendar quarter, a person who transports or causes to be
1-28 transported from this state cigarettes for sale in another state
1-29 shall submit to the attorney general a report identifying:
1-30 (1) the quantity of cigarettes, by brand style,
1-31 transported or caused to be transported in the preceding calendar
1-32 quarter; and
1-33 (2) the name and address of each recipient of the
1-34 cigarettes.
1-35 SECTION 2. This Act takes effect immediately if it receives
1-36 a vote of two-thirds of all the members elected to each house, as
1-37 provided by Section 39, Article III, Texas Constitution. If this
1-38 Act does not receive the vote necessary for immediate effect, this
1-39 Act takes effect September 1, 2003.

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