

CONFERENCE COMMITTEE REPORT

HB 669

2025 Regular Session

Riser

June 11, 2025

To the Honorable Speaker and Members of the House of Representatives and the Honorable President and Members of the Senate.

Ladies and Gentlemen:

We, the conferees appointed to confer over the disagreement between the two houses concerning House Bill No. 669 by Representative Riser, recommend the following concerning the Reengrossed bill:

1. That the set of Senate Floor Amendments by Senator Foil (#2934) be adopted.
2. That the set of Senate Floor Amendments by Senator Cathey (#2943) be rejected.
3. That the following amendments be adopted:

AMENDMENT NO. 1

In Senate Floor Amendment No. 1 by Senator Foil (#2934), on page 1, at the beginning of line 3, delete ""842(16)" and insert ""842(2), (16),"

AMENDMENT NO. 2

In Senate Floor Amendment No. 2 by Senator Foil (#2934), on page 1, line 6, after "R.S. 47:841(B) and" and before "and (20)" delete "842(16)" and insert "842(2), (16),"

AMENDMENT NO. 3

In Senate Floor Amendment No. 3 by Senator Foil (#2934), on page 1, between lines 9 and 10, insert the following:

"(2) "Cigarette" includes any roll for smoking or heating pursuant to ordinary conditions of use made wholly or in part of tobacco, irrespective of size or shape and irrespective of the tobacco being flavored, adulterated or mixed with any other ingredient, where such roll has a wrapper or cover made of paper, or any other material except where such wrapper is wholly or in greater part made of tobacco.

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4. That the following amendments to the reengrossed bill be adopted:

AMENDMENT NO. 1

On page 3, at the end of line 4, after "Section" and before the period "." insert "or products subject to the tax levied on cigarettes pursuant to the provisions of R.S. 47:841(B)"

AMENDMENT NO. 2

On page 3, at the beginning of line 20, after "R.S. 47:841(B)(3)" and before "in Section" delete "as enacted" and insert "as provided"

AMENDMENT NO. 3

On page 3, line 24, after "R.S. 47:841(B)(3)" and before "this Act" delete "by" and insert "of"

Respectfully submitted,

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Representative Neil Riser

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Senator Stewart Cathey, Jr.

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Representative Julie Emerson

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Senator Mike Reese

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Representative Joseph A. Orgeron

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Senator William "Bill" Wheat, Jr.

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

CONFERENCE COMMITTEE REPORT DIGEST

HB 669

2025 Regular Session

Riser

Keyword and oneliner of the instrument as it left the House

TAX/EXCISE: Continues a portion of the excise tax levied on cigarettes in statute

Report adopts Senate amendments to:

1. Expand the definition of "smoking tobacco" to include tobacco prepared in any manner to be suitable for smoking in *or as* pipe or cigarette.
2. Add a definition for "tobacco substitute" which means any non-combustible product intended to be used or consumed as an alternative to tobacco, including products made with nicotine extracted from tobacco or any other source, or synthetic nicotine, and any product which simulates traditional smokeless tobacco whether or not it contains nicotine.

Report rejects Senate amendments which would have:

1. Added a definition for "heated tobacco product" which means a product containing tobacco and producing an inhalable aerosol by use of an electronic device that either heats the tobacco without burning it, or primarily heats rather than burns the tobacco, but does not include cigarettes or tobacco products.

Report amends the bill to:

1. Add within the definition of "cigarette", any roll for heating pursuant to ordinary conditions of use made wholly or in part of tobacco.
2. Exclude within the definition of "vapor products" any product subject to the tax levied on cigarettes pursuant to present law.
4. Technical changes.

Digest of the bill as proposed by the Conference Committee

Present law provides for the levy of a state excise tax on the sale, use, consumption, handling, or distribution of all cigars, cigarettes, smoking and smokeless tobacco, and vapor products and electronic cigarettes within the state according to the following classifications and rates:

- (1) Cigars - 8% of the invoice price on cigars invoiced by the manufacturer at \$120 per 1,000 or less and 20% of the invoice price on cigars invoiced by the manufacturer at more than \$120 per 1,000.
- (2) Cigarettes - \$1.08 per pack of 20 cigarettes.
- (3) Smoking tobacco - 33% of the invoice price.
- (4) Smokeless tobacco - 20% of the invoice price.

- (5) Vapor products and electronic cigarettes - 15¢ per milliliter of consumable nicotine liquid solution or other material containing nicotine that is depleted as a vapor product is used.

Present constitution continues the levy of 4¢ per cigarette of the total \$1.08 per pack state excise tax levied on cigarettes in the constitution.

Proposed law retains present law with respect to the excise taxes levied on tobacco products and retains present constitution with respect to the continuance of the additional 4¢ excise tax levied on cigarettes but provides for the levy of the additional 4¢ per cigarette excise tax in *statute* in order for all levies of the state excise tax on cigarettes to be statutorily imposed. Proposed law retains the total state excise tax levied on cigarettes at \$1.08 per pack.

Present law provides for definitions for the imposition and administration of the state excise tax levied on tobacco products. Proposed law retains present law but expands the definition of "smoking tobacco" to include tobacco prepared in any manner to be suitable for smoking in *or as* pipe or cigarette and adds a limitation within the definition of "vapor products" that vapor products do not include cigarettes or any product subject to the tax levied on cigarettes pursuant to present law.

Present law defines a "cigarette" as any roll for smoking entirely or partially made of tobacco, regardless of its size or shape and regardless of the tobacco being flavored, adulterated or mixed with any other ingredient, where the roll has a wrapper made of any material except tobacco.

Proposed law retains present law but adds that a "cigarette" includes any roll for heating pursuant to ordinary conditions of use made wholly or in part of tobacco.

Proposed law adds a definition for "tobacco substitute" and defines it to mean any non-combustible product intended to be used or consumed as an alternative to tobacco, including products made with nicotine extracted from tobacco or other source, or synthetic nicotine, and any product which simulates traditional smokeless tobacco whether or not it contains nicotine.

Proposed law is applicable to taxable periods beginning on or after July 1, 2025.

Effective upon signature of governor or lapse of time for gubernatorial action.

(Amends R.S. 47:841(B) and 842(2), (16), and (20) through (23); Adds R.S. 47:842(24))