

Regular Session, 2012

HOUSE BILL NO. 721

BY REPRESENTATIVE MORENO

JUDGMENTS/CIVIL: Provides for a fee paid to the attorney general from tobacco product manufacturers for certification

1 AN ACT

2 To amend and reenact R.S. 13:5073(A)(1), relative to the certification of tobacco product  
3 manufacturers; to provide for a fee for certification for tobacco product  
4 manufacturers; to provide for the use of the fees; and to provide for related matters.

5 Be it enacted by the Legislature of Louisiana:

6 Section 1. R.S. 13:5073(A)(1) is hereby amended and reenacted to read as follows:

7 §5073. Certifications; directory; tax stamps

8 A.(1) Every tobacco product manufacturer whose cigarettes are sold in this  
9 state, whether directly or through a distributor, retailer, or similar intermediary or  
10 intermediaries, shall execute and deliver on a form prescribed by the attorney general  
11 a certification to the secretary and attorney general, no later than the thirtieth day of  
12 April each year, certifying under penalty of perjury that, as of the date of such  
13 certification, such tobacco product manufacturer either: is a participating  
14 manufacturer; or is in full compliance with R.S. 13:5061 et seq., including all  
15 installment payments required by R.S. 13:5075(E). For the initial certification  
16 submitted no later than the thirtieth of April each year, a manufacturer shall pay to  
17 the attorney general a fee of five hundred dollars. The fees generated pursuant to this  
18 Section shall be deposited in the Tobacco Settlement Enforcement Fund and used  
19 solely and exclusively for purposes of enforcement of the Master Settlement  
20 Agreement, pursuant to R.S. 39:98.7.

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**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)]

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Moreno

HB No. 721

Present law provides that every tobacco product manufacturer whose cigarettes are sold in La., whether directly or through a distributor, retailer, or similar intermediary or intermediaries, shall execute and deliver on a form prescribed by the attorney general a certification to the secretary and attorney general no later than April 30 of each year.

Present law provides that certifying be made under penalty of perjury that, as of the date of such certification, such tobacco product manufacturer either: is a participating manufacturer or is in full compliance with the requirements for tobacco product manufacturers under the Master Settlement Agreement in present law, including all installment payments required by present law.

Proposed law retains present law and further provides that for the initial certification submitted no later than April 30 each year, a manufacturer shall pay to the attorney general a fee of \$500.

Proposed law requires the \$500 fee to be deposited in the Tobacco Settlement Enforcement Fund and used solely and exclusively for purposes of enforcement of the Master Settlement Agreement.

(Amends R.S. 13:5073(A)(1))

Summary of Amendments Adopted by House

Committee Amendments Proposed by House Committee on Judiciary to the original bill.

1. Added a requirement for the fees to be deposited in the Tobacco Settlement Enforcement Fund and used solely for the purposes of enforcement of the Master Settlement Agreement.