
A BILL FOR AN ACT

RELATING TO CIGARETTE TAX.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. The purpose of this Act is to clarify that the
2 moneys earmarked from the cigarette tax collected on each
3 cigarette sold pursuant to section 245-15, Hawaii Revised
4 Statutes, for deposit into the Hawaii cancer research special
5 fund, the trauma system special fund, the emergency medical
6 services special fund, and the community health centers special
7 fund shall be assessed on a per cigarette basis. In addition,
8 this Act ensures that moneys are earmarked for each special fund
9 through 2011 and beyond.

10 SECTION 2. Section 245-15, Hawaii Revised Statutes, is
11 amended to read as follows:

12 "**§245-15 Disposition of revenues.** All moneys collected
13 pursuant to this chapter shall be paid into the state treasury
14 as state realizations to be kept and accounted for as provided
15 by law; provided that, of the moneys collected under the tax
16 imposed pursuant to ~~[section 245-3(a) that represents the~~
17 ~~difference between the 7.0 cents for each cigarette sold, used,~~



1 ~~or possessed by a wholesaler or dealer under section 245-3(a)(1)~~
2 ~~and the amount of tax imposed and collected on each cigarette~~
3 ~~sold, used, or possessed by a wholesaler or dealer under section~~
4 ~~245-3(a)(2), (3), (4), (5), (6), and (7)]:~~

5 (1) [~~From September 30, 2006 to~~] Section 245-3(a)(5),
6 after September 29, 2006, and prior to October 1, 2007, 1.0 cent
7 per cigarette shall be deposited to the credit of the Hawaii
8 cancer research special fund, established pursuant to section
9 [+304A-2168+], for research and operating expenses;

10 (2) [~~From~~] Section 245-3(a)(6), after September 30, 2007,
11 and prior to [~~September 29,~~] October 1, 2008:

12 (A) 1.5 cents per cigarette shall be deposited to the
13 credit of the Hawaii cancer research special
14 fund, established pursuant to section
15 [+304A-2168+], for research and operating
16 expenses; [~~and~~]

17 (B) 0.25 cents [~~of the moneys~~] per cigarette shall be
18 deposited to the credit of the trauma system
19 special fund established pursuant to section
20 321-22.5; and

21 (C) 0.25 cents [~~of the moneys~~] per cigarette shall be
22 deposited to the credit of the emergency medical



1 services special fund established pursuant to
2 section 321-234;

3 (3) [~~From~~] Section 245-3(a)(7), after September 30, 2008,
4 and prior to [~~September 29,~~] October 1, 2009:

5 (A) 2.0 cents per cigarette shall be deposited to the
6 credit of the Hawaii cancer research special
7 fund, established pursuant to section
8 [+]304A-2168[+], for research and operating
9 expenses; [~~and~~]

10 (B) 0.5 cents [~~of the moneys~~] per cigarette shall be
11 deposited to the credit of the trauma system
12 special fund established pursuant to section
13 321-22.5;

14 (C) 0.25 cents [~~of the moneys~~] per cigarette shall be
15 deposited to the credit of the community health
16 centers special fund; and

17 (D) 0.25 cents [~~of the moneys~~] per cigarette shall be
18 deposited to the credit of the emergency medical
19 services special fund established pursuant to
20 section 321-234;

21 (4) [~~From~~] Section 245-3(a)(8), after September 30, 2009,
22 and prior to [~~September 29,~~] October 1, 2010:



- 1 (A) 2.0 cents per cigarette shall be deposited to the
2 credit of the Hawaii cancer research special
3 fund, established pursuant to section
4 [†]304A-2168[†], for research and operating
5 expenses; [and]
- 6 (B) 0.75 cents [~~of the moneys~~] per cigarette shall be
7 deposited to the credit of the trauma system
8 special fund established pursuant to section
9 321-22.5;
- 10 (C) 0.75 cents [~~of the moneys~~] per cigarette shall be
11 deposited to the credit of the community health
12 centers special fund; and
- 13 (D) 0.5 cents [~~of the moneys~~] per cigarette shall be
14 deposited to the credit of the emergency medical
15 services special fund established pursuant to
16 section 321-234;
- 17 (5) [~~From~~] Section 245-3(a)(9), after September 30, 2010,
18 and prior to [September 29,] October 1, 2011:
- 19 (A) 2.0 cents per cigarette shall be deposited to the
20 credit of the Hawaii cancer research special
21 fund, established pursuant to section



1 [+]304A-2168[+], for research and operating
2 expenses; [~~and~~]

3 (B) 1.0 cent [~~of the moneys~~] per cigarette shall be
4 deposited to the credit of the trauma system
5 special fund established pursuant to section
6 321-22.5;

7 (C) 1.0 cent [~~of the moneys~~] per cigarette shall be
8 deposited to the credit of the community health
9 centers special fund; and

10 (D) 1.0 cent [~~of the moneys~~] per cigarette shall be
11 deposited to the credit of the emergency medical
12 services special fund established pursuant to
13 section 321-234;

14 and

15 (6) [~~From~~] Section 245-3(a)(10), after September 30, 2011,
16 and thereafter:

17 (A) 2.0 cents per cigarette shall be deposited to the
18 credit of the Hawaii cancer research special
19 fund, established pursuant to section
20 [+]304A-2168[+], for research and operating
21 expenses; [~~and~~]



1 (B) 1.5 cents [~~of the moneys~~] per cigarette shall be
2 deposited to the credit of the trauma system
3 special fund established pursuant to section
4 321-22.5;

5 (C) 1.25 cents [~~of the moneys~~] per cigarette shall be
6 deposited to the credit of the community health
7 centers special fund; and

8 (D) 1.25 cents [~~of the moneys~~] per cigarette shall be
9 deposited to the credit of the emergency medical
10 services special fund established pursuant to
11 section 321-234.

12 The department shall provide an annual accounting of these
13 dispositions to the legislature."

14 SECTION 3. Section 304A-2168, Hawaii Revised Statutes, is
15 amended by amending subsection (c) to read as follows:

16 (c) The following shall be deposited into the special
17 fund:

18 (1) Moneys collected pursuant to section 245-15 [~~shall be~~
19 ~~deposited into the special fund.~~]; and

20 (2) Interest earned or accrued on moneys in the special
21 fund."



1 SECTION 4. Statutory material to be repealed is bracketed
2 and stricken. New statutory material is underscored.

3 SECTION 5. This Act shall take effect upon its approval.



Report Title:

Health Research; Cigarette Tax

Description:

Clarifies that the cigarette tax money earmarked to fund the cancer research center of Hawaii, emergency medical services, trauma care, and community health centers shall be calculated on a per cigarette basis. (SB139 HD1)

