

JAN 24 2024

A BILL FOR AN ACT

RELATING TO CIGARETTE TAXES.

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

1 SECTION 1. Section 245-3, Hawaii Revised Statutes, is
2 amended by amending subsection (a) to read as follows:

3 "(a) Every wholesaler or dealer, in addition to any other
4 taxes provided by law, shall pay, for the privilege of
5 conducting business and other activities in the State, an excise
6 tax equal to:

7 (1) 5.00 cents for each cigarette sold, used, or possessed
8 by a wholesaler or dealer after June 30, 1998, whether
9 or not sold at wholesale, or if not sold, then at the
10 same rate upon the use by the wholesaler or dealer;

11 (2) 6.00 cents for each cigarette sold, used, or possessed
12 by a wholesaler or dealer after September 30, 2002,
13 whether or not sold at wholesale, or if not sold, then
14 at the same rate upon the use by the wholesaler or
15 dealer;

16 (3) 6.50 cents for each cigarette sold, used, or possessed
17 by a wholesaler or dealer after June 30, 2003, whether



- 1 or not sold at wholesale, or if not sold, then at the
2 same rate upon the use by the wholesaler or dealer;
- 3 (4) 7.00 cents for each cigarette sold, used, or possessed
4 by a wholesaler or dealer after June 30, 2004, whether
5 or not sold at wholesale, or if not sold, then at the
6 same rate upon the use by the wholesaler or dealer;
- 7 (5) 8.00 cents for each cigarette sold, used, or possessed
8 by a wholesaler or dealer on and after September 30,
9 2006, whether or not sold at wholesale, or if not
10 sold, then at the same rate upon the use by the
11 wholesaler or dealer;
- 12 (6) 9.00 cents for each cigarette sold, used, or possessed
13 by a wholesaler or dealer on and after September 30,
14 2007, whether or not sold at wholesale, or if not
15 sold, then at the same rate upon the use by the
16 wholesaler or dealer;
- 17 (7) 10.00 cents for each cigarette sold, used, or
18 possessed by a wholesaler or dealer on and after
19 September 30, 2008, whether or not sold at wholesale,
20 or if not sold, then at the same rate upon the use by
21 the wholesaler or dealer;



- 1 (8) 13.00 cents for each cigarette sold, used, or
2 possessed by a wholesaler or dealer on and after July
3 1, 2009, whether or not sold at wholesale, or if not
4 sold, then at the same rate upon the use by the
5 wholesaler or dealer;
- 6 (9) 11.00 cents for each little cigar sold, used, or
7 possessed by a wholesaler or dealer on and after
8 October 1, 2009, whether or not sold at wholesale, or
9 if not sold, then at the same rate upon the use by the
10 wholesaler or dealer;
- 11 (10) 15.00 cents for each cigarette or little cigar sold,
12 used, or possessed by a wholesaler or dealer on and
13 after July 1, 2010, whether or not sold at wholesale,
14 or if not sold, then at the same rate upon the use by
15 the wholesaler or dealer;
- 16 (11) 16.00 cents for each cigarette or little cigar sold,
17 used, or possessed by a wholesaler or dealer on and
18 after July 1, 2011, whether or not sold at wholesale,
19 or if not sold, then at the same rate upon the use by
20 the wholesaler or dealer;



1 (12) 18.00 cents for each cigarette or little cigar sold,
2 used, or possessed by a wholesaler or dealer on and
3 after July 1, 2024, whether or not sold at wholesale,
4 or if not sold, then at the same rate upon the use by
5 the wholesaler or dealer;

6 [~~(12)~~] (13) Seventy per cent of the wholesale price of each
7 article or item of tobacco products, other than large
8 cigars, electronic smoking devices, and e-liquids,
9 sold by the wholesaler or dealer on and after
10 September 30, 2009, whether or not sold at wholesale,
11 or if not sold, then at the same rate upon the use by
12 the wholesaler or dealer;

13 [~~(13)~~] (14) Fifty per cent of the wholesale price of each
14 large cigar of any length sold, used, or possessed by
15 a wholesaler or dealer on and after September 30,
16 2009, whether or not sold at wholesale, or if not
17 sold, then at the same rate upon the use by the
18 wholesaler or dealer; and

19 [~~(14)~~] (15) Seventy per cent of the wholesale price of each
20 electronic smoking device or e-liquid sold, used, or
21 possessed by a wholesaler or dealer on and after



1 January 1, 2024, whether or not sold at wholesale, or
2 if not sold, then at the same rate upon the use by the
3 wholesaler or dealer.

4 Where the tax imposed has been paid on cigarettes, little
5 cigars, or tobacco products that thereafter become the subject
6 of a casualty loss deduction allowable under chapter 235, the
7 tax paid shall be refunded or credited to the account of the
8 wholesaler or dealer. The tax shall be applied to cigarettes
9 through the use of stamps."

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:

17 (1) Section 245-3(a)(5), after September 30, 2006, and
18 prior to October 1, 2007, 1.0 cent per cigarette shall
19 be deposited to the credit of the Hawaii cancer
20 research special fund, established pursuant to section



1 304A-2168, for research and operating expenses and for
2 capital expenditures;

3 (2) Section 245-3(a)(6), after September 30, 2007, and
4 prior to October 1, 2008:

5 (A) 1.5 cents per cigarette shall be deposited to the
6 credit of the Hawaii cancer research special
7 fund, established pursuant to section 304A-2168,
8 for research and operating expenses and for
9 capital expenditures;

10 (B) 0.25 cents per cigarette shall be deposited to
11 the credit of the trauma system special fund
12 established pursuant to section 321-22.5; and

13 (C) 0.25 cents per cigarette shall be deposited to
14 the credit of the emergency medical services
15 special fund established pursuant to section
16 321-234;

17 (3) Section 245-3(a)(7), after September 30, 2008, and
18 prior to July 1, 2009:

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 304A-2168,



1 for research and operating expenses and for
2 capital expenditures;

3 (B) 0.5 cents per cigarette shall be deposited to the
4 credit of the trauma system special fund
5 established pursuant to section 321-22.5;

6 (C) 0.25 cents per cigarette shall be deposited to
7 the credit of the community health centers
8 special fund established pursuant to section
9 321-1.65; and

10 (D) 0.25 cents per cigarette shall be deposited to
11 the credit of the emergency medical services
12 special fund established pursuant to section
13 321-234;

14 (4) Section 245-3(a)(8), after June 30, 2009, and prior to
15 July 1, 2013:

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



1 (B) 0.75 cents per cigarette shall be deposited to
2 the credit of the trauma system special fund
3 established pursuant to section 321-22.5;

4 (C) 0.75 cents per cigarette shall be deposited to
5 the credit of the community health centers
6 special fund established pursuant to section
7 321-1.65; and

8 (D) 0.5 cents per cigarette shall be deposited to the
9 credit of the emergency medical services special
10 fund established pursuant to section 321-234;

11 (5) Section 245-3(a)(11), after June 30, 2013, and prior
12 to July 1, 2015:

13 (A) 2.0 cents per cigarette shall be deposited to the
14 credit of the Hawaii cancer research special
15 fund, established pursuant to section 304A-2168,
16 for research and operating expenses and for
17 capital expenditures;

18 (B) 1.5 cents per cigarette shall be deposited to the
19 credit of the trauma system special fund
20 established pursuant to section 321-22.5;

1 (C) 1.25 cents per cigarette shall be deposited to
2 the credit of the community health centers
3 special fund established pursuant to section
4 321-1.65; and

5 (D) 1.25 cents per cigarette shall be deposited to
6 the credit of the emergency medical services
7 special fund established pursuant to section
8 321-234; [~~and~~]

9 (6) Section 245-3(a)(11), after June 30, 2015, and
10 [~~thereafter.~~] prior to July 1, 2024:

11 (A) 2.0 cents per cigarette shall be deposited to the
12 credit of the Hawaii cancer research special
13 fund, established pursuant to section 304A-2168,
14 for research and operating expenses and for
15 capital expenditures;

16 (B) 1.125 cents per cigarette, but not more than
17 \$7,400,000 in a fiscal year, shall be deposited
18 to the credit of the trauma system special fund
19 established pursuant to section 321-22.5;

20 (C) 1.25 cents per cigarette, but not more than
21 \$8,800,000 in a fiscal year, shall be deposited



1 to the credit of the community health centers
2 special fund established pursuant to section
3 321-1.65; and

4 (D) 1.25 cents per cigarette, but not more than
5 \$8,800,000 in a fiscal year, shall be deposited
6 to the credit of the emergency medical services
7 special fund established pursuant to section
8 321-234 [-]; and

9 (7) Section 245-3(a)(12), after June 30, 2024, and
10 thereafter:

11 (A) 4.0 cents per cigarette shall be deposited to the
12 credit of the Hawaii cancer research special
13 fund, established pursuant to section 304A-2168,
14 for research and operating expenses and for
15 capital expenditures;

16 (B) 1.125 cents per cigarette, but not more than
17 \$7,400,000 in a fiscal year, shall be deposited
18 to the credit of the trauma system special fund
19 established pursuant to section 321-22.5;

20 (C) 1.25 cents per cigarette, but not more than
21 \$8,800,000 in a fiscal year, shall be deposited



S.B. NO. 3292

Report Title:

Cigarette Tax; Hawaii Cancer Research Special Fund; University of Hawaii Cancer Research Center of Hawaii

Description:

Beginning 7/1/2024, increases the cigarette tax rate and amends the disposition of the cigarette tax revenues by increasing the amount allocated to the Hawaii Cancer Research Special Fund.

The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.

