

1 AN ACT concerning State government.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The Tobacco Products Manufacturers' Escrow
5 Enforcement Act of 2003 is amended by changing Section 25 as
6 follows:

7 (30 ILCS 167/25)

8 Sec. 25. Reporting of information; escrow installments.

9 (a) Not later than 20 days after the end of each calendar
10 quarter, and more frequently if so directed by the Attorney
11 General, each distributor shall submit the information as the
12 Attorney General requires to facilitate compliance with this
13 Act, including, but not limited to, a list by brand family of
14 the total number of cigarettes or in the case of roll-your-own,
15 the equivalent stick count for which the distributor affixed
16 stamps during the previous calendar quarter or otherwise paid
17 the tax due for these cigarettes. The distributor shall
18 maintain, and make available to the Attorney General, all
19 invoices and documentation of sales of all non-participating
20 manufacturer cigarettes and any other information relied upon
21 in reporting to the Attorney General for a period of 5 years.

22 (b) The Attorney General is authorized to disclose to the
23 Director any information received under this Act for purposes

1 of determining compliance with and enforcing the provisions of
2 this Act. The Director and Attorney General shall share with
3 each other the information received under this Act, and may
4 share the information with other federal, State, or local
5 agencies only for purposes of enforcement of this Act, the
6 Escrow Act, or corresponding laws of other states. The Director
7 and Attorney General shall also share with each other the
8 information received under the Cigarette Tax Act, the Cigarette
9 Use Tax Act, the Tobacco Products Tax Act of 1995, the
10 Cigarette Machine Operators' Occupation Tax Act, and the
11 Retailers' Occupation Tax Act for the purposes of enforcement
12 of this Act and the Escrow Act.

13 (c) The Attorney General may require at any time, from the
14 non-participating manufacturer, proof from the financial
15 institution in which the manufacturer has established a
16 qualified escrow fund for the purpose of compliance with the
17 Escrow Act of the amount of money in the fund being held on
18 behalf of the State and the dates of deposits, and listing the
19 amounts of all withdrawals from the fund and the dates thereof.

20 (d) In addition to the information required to be submitted
21 pursuant to this Act, the Attorney General may require a
22 distributor or tobacco product manufacturer to submit any
23 additional information including, but not limited to, samples
24 of the packaging or labeling of each brand family, as is
25 necessary to enable the Attorney General to determine whether a
26 tobacco product manufacturer is in compliance with this Act.

1 (e) To promote compliance with the provisions of this Act,
2 the Attorney General may promulgate regulations requiring a
3 tobacco product manufacturer subject to the requirements of
4 subsection (a)(2) of Section 15 to make the escrow deposits
5 required in quarterly installments during the year in which the
6 sales covered by the deposits are made. The Attorney General
7 may require production of information sufficient to enable the
8 Attorney General to determine the adequacy of the amount of the
9 installment deposit.

10 (Source: P.A. 93-446, eff. 1-1-04; 94-575, eff. 8-12-05.)

11 Section 10. The Cigarette Machine Operators' Occupation
12 Tax Act is amended by changing Section 1-30 as follows:

13 (35 ILCS 128/1-30)

14 Sec. 1-30. Cigarette tubes used in cigarette machines.

15 (a) All cigarette tubes used in cigarette machines in the
16 possession of cigarette machine operators licensed under
17 Section 1-15 of this Act shall be constructed of paper of a
18 type determined by the Attorney General, pursuant to rules
19 promulgated by the Attorney General under the provisions of the
20 Administrative Procedure Act, to reduce the likely ignition
21 propensity of cigarettes made by those tubes.

22 (b) A cigarette machine operator is not required to comply
23 with subsection (a) of this Section until the Attorney General
24 has promulgated rules implementing subsection (a) and the rules

1 have become effective. The effective date for such rules shall
2 be no earlier than 6 months after the date on which an
3 appropriate nationally recognized standard is developed for
4 the reduced ignition propensity of cigarette tubes ~~January 1,~~
5 ~~2014.~~

6 (Source: P.A. 97-688, eff. 6-14-12.)

7 Section 99. Effective date. This Act takes effect upon
8 becoming law.