

1 AMENDMENT TO SENATE BILL 2017

2 AMENDMENT NO. \_\_\_\_\_. Amend Senate Bill 2017, on page 8,  
3 by replacing lines 4 through 8 with the following:

4 "No person may affix, or cause to be affixed, any stamp  
5 or imprint to a package of cigarettes, as provided for in  
6 this Section, unless the tobacco product manufacturer, as  
7 defined in Section 10 of the Tobacco Product Manufacturers'  
8 Escrow Act, that made or sold the cigarettes is a  
9 participating manufacturer, as defined in subdivision (a)(1)  
10 of Section 15 of the Tobacco Product Manufacturers' Escrow  
11 Act, or has made all escrow payments required by subdivision  
12 (a)(2)(A) of Section 15 of the Tobacco Product Manufacturers'  
13 Escrow Act."; and

14 on page 17, by replacing lines 11 through 15 with the  
15 following:

16 "No person may affix, or cause to be affixed, any stamp  
17 or imprint to a package of cigarettes, as provided for in  
18 this Section, unless the tobacco product manufacturer, as  
19 defined in Section 10 of the Tobacco Product Manufacturers'  
20 Escrow Act, that made or sold the cigarettes is a  
21 participating manufacturer, as defined in subdivision (a)(1)  
22 of Section 15 of the Tobacco Product Manufacturers' Escrow  
23 Act, or has made all escrow payments required by subdivision

1 (a)(2)(A) of Section 15 of the Tobacco Product Manufacturers'  
2 Escrow Act."; and

3 on page 18, immediately below line 31, by inserting the  
4 following:

5 "Section 920. The Tobacco Products Tax Act of 1995 is  
6 amended by changing Section 10-10 as follows:

7 (35 ILCS 143/10-10)

8 Sec. 10-10. Tax imposed. On the first day of the third  
9 month after the month in which this Act becomes law, a tax is  
10 imposed on any person engaged in business as a distributor of  
11 tobacco products, as defined in Section 10-5, at the rate of  
12 18% of the wholesale price of tobacco products sold or  
13 otherwise disposed of to retailers or consumers located in  
14 this State. The tax is in addition to all other occupation or  
15 privilege taxes imposed by the State of Illinois, by any  
16 political subdivision thereof, or by any municipal  
17 corporation. However, the tax is not imposed upon any  
18 activity in that business in interstate commerce or  
19 otherwise, to the extent to which that activity may not,  
20 under the Constitution and Statutes of the United States, be  
21 made the subject of taxation by this State. The tax is also  
22 not imposed on sales made to the United States or any entity  
23 thereof.

24 All moneys received by the Department under this Act  
25 shall be paid into the Long-Term Care Provider Fund of the  
26 State Treasury.

27 No person may pay the tax levied under this Section on a  
28 tobacco product defined as a cigarette under Section 10 of  
29 the Tobacco Product Manufacturers' Escrow Act unless the  
30 tobacco product manufacturer, as defined in Section 10 of the  
31 Tobacco Product Manufacturers' Escrow Act, that made or sold  
32 the cigarettes is a participating manufacturer, as defined in

1 subdivision (a)(1) of Section 15 of the Tobacco Product  
2 Manufacturers' Escrow Act, or has made all escrow payments  
3 required by subdivision (a)(2)(A) of Section 15 of the  
4 Tobacco Product Manufacturers' Escrow Act.  
5 (Source: P.A. 92-231, eff. 8-2-01.)".