

House Bill 83

By: Representatives Au of the 50<sup>th</sup>, Stephens of the 164<sup>th</sup>, Hawkins of the 27<sup>th</sup>, Greene of the 154<sup>th</sup>, and Buckner of the 137<sup>th</sup>

A BILL TO BE ENTITLED  
AN ACT

1 To amend Chapter 11 of Title 48 of the Official Code of Georgia Annotated, relating to taxes  
2 on tobacco and vaping products, so as to increase the rate of the tax on each pack of  
3 cigarettes; to provide that the proceeds derived from such increase are intended to be  
4 appropriated for healthcare purposes; to provide for related matters; to provide for effective  
5 dates; to repeal conflicting laws; and for other purposes.

6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

7 **SECTION 1.**

8 Chapter 11 of Title 48 of the Official Code of Georgia Annotated, relating to taxes on  
9 tobacco and vaping products, is amended in Code Section 48-11-2, relating to excise tax  
10 imposed, rates for tobacco and vaping products, exemptions, collection and payment, and tax  
11 separately identified, by revising subsection (a) and adding a new subsection to read as  
12 follows:

13 "(a) An excise tax, in addition to all other taxes of every kind imposed by law, is imposed  
14 upon the sale, receipt, purchase, possession, consumption, handling, distribution, or use of  
15 cigars, cigarettes, loose or smokeless tobacco, alternative nicotine products, and vapor  
16 products in this state at the following rates:

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- 17 (1) Little cigars: two and one-half mills each;
- 18 (2) All cigars other than little cigars: 23 percent of the wholesale cost price, exclusive  
19 of any trade, cash, or other discounts or any promotion, advertising, display, or similar  
20 allowances;
- 21 (3) Cigarettes: ~~37¢~~ 57¢ per pack of 20 cigarettes and a like rate, pro rata, for other size  
22 packages;
- 23 (4) Loose or smokeless tobacco: 10 percent of the wholesale cost price, exclusive of any  
24 trade, cash, or other discounts or any promotion, advertising, display, or similar  
25 allowances;
- 26 (5) Consumable vapor products in a closed system: 5¢ per fluid milliliter;
- 27 (6) Consumable vapor products in an open system: 7 percent of the wholesale cost price,  
28 exclusive of any trade, cash, or other discounts or any promotion, advertising, display,  
29 or similar allowances; and
- 30 (7) Vapor devices that contain any consumable vapor product at the time of sale and  
31 which are not designed or intended to be reused or refilled: 7 percent of the wholesale  
32 cost price, exclusive of any trade, cash, or other discounts or any promotion, advertising,  
33 display, or similar allowances.
- 34 (a.1) It is the intent of the General Assembly that the state proceeds derived from 20¢ of  
35 the per pack tax on cigarettes levied pursuant to paragraph (3) of subsection (a) of this  
36 Code section are to be appropriated annually to address healthcare issues affecting Georgia  
37 residents. Upon request by the chairperson of the House Committee on Appropriations or  
38 Senate Appropriations Committee, the department shall report the amount of such proceeds  
39 derived in the prior fiscal year."

40

**SECTION 2.**

41 Said chapter is further amended in said Code section, as effective on December 31, 2029, by  
42 revising subsection (a) and adding a new subsection to read as follows:

43 "(a) An excise tax, in addition to all other taxes of every kind imposed by law, is imposed  
44 upon the sale, receipt, purchase, possession, consumption, handling, distribution, or use of  
45 cigars, cigarettes, loose or smokeless tobacco, alternative nicotine products, and vapor  
46 products in this state at the following rates:

47 (1) Little cigars: two and one-half mills each;

48 (2) All cigars other than little cigars: 23 percent of the wholesale cost price, exclusive  
49 of any trade, cash, or other discounts or any promotion, advertising, display, or similar  
50 allowances;

51 (3) Cigarettes: ~~37¢~~ 57¢ per pack of 20 cigarettes and a like rate, pro rata, for other size  
52 packages;

53 (4) Loose or smokeless tobacco: 10 percent of the wholesale cost price, exclusive of any  
54 trade, cash, or other discounts or any promotion, advertising, display, or similar  
55 allowances;

56 (5) Consumable vapor products in a closed system: 5¢ per fluid milliliter;

57 (6) Consumable vapor products in an open system: 7 percent of the wholesale cost price,  
58 exclusive of any trade, cash, or other discounts or any promotion, advertising, display,  
59 or similar allowances; and

60 (7) Vapor devices that contain any consumable vapor product at the time of sale and  
61 which are not designed or intended to be reused or refilled: 7 percent of the wholesale  
62 cost price, exclusive of any trade, cash, or other discounts or any promotion, advertising,  
63 display, or similar allowances.

64 (a.1) It is the intent of the General Assembly that the state proceeds derived from 20¢ of  
65 the per pack tax on cigarettes levied pursuant to paragraph (3) of subsection (a) of this  
66 Code section are to be appropriated annually to address healthcare issues affecting Georgia  
67 residents. Upon request by the chairperson of the House Committee on Appropriations or  
68 Senate Appropriations Committee, the department shall report the amount of such proceeds  
69 derived in the prior fiscal year."

70 **SECTION 3.**

71 (a) Except as otherwise provided for in subsection (b) of this section, this Act shall become  
72 effective upon its approval by the Governor or upon its becoming law without such approval.

73 (b) Section 2 of this Act shall become effective on December 31, 2029.

74 **SECTION 4.**

75 All laws and parts of laws in conflict with this Act are repealed.