

February 23, 2005

S 196. AMEND TOBACCO RESERVE FUND. TO AMEND THE TOBACCO RESERVE FUND TO PROMOTE THE HEALTH AND WELLNESS OF THE STATE'S CITIZENS AND ECONOMIC DEVELOPMENT. Current GS 66-291 requires tobacco manufacturers that do not participate in the Master Settlement Agreement to pay annually into an escrow fund an amount based on the number of units the manufacturer sold in NC. Current GS 66-291(b)(2) provides that if in any year a nonparticipating manufacturer pays more into the escrow fund than NC's allocable share of the amount it would have paid as a participant to the Master Settlement Agreement, the manufacturer receives a refund of the excess. This act changes the amount of the refund to the excess of the amount the nonparticipating manufacturer paid into the escrow fund on account of units sold in NC over the amount the manufacturer would have paid as a participant to the Master Settlement Agreement on account of units sold in NC. If the act or GS 66-291(b)(2), as amended, is held unconstitutional, GS 66-291(b)(2) is repealed. If, thereafter, the statute's provisions for interest on and return of escrow payments in general are held unconstitutional, then the act is repealed and GS 66-291(b)(2) is restored as though the act had never been enacted. Effective October 1, 2005.

Intro. by Garrou.

Ref. to Commerce

GS 66