

**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2005**

H

1

HOUSE BILL 2394

Short Title: Delay Cigarette Tax Increase by 12 Months. (Public)

Sponsors: Representatives Langdon, Hill (Primary Sponsors); Blust, Brown, Capps, Cleveland, Culp, Faison, Folwell, Johnson, Pate, Preston, and Wiley.

Referred to: Finance.

May 24, 2006

A BILL TO BE ENTITLED

1 AN ACT TO DELAY THE IMPLEMENTATION OF THE FIVE-CENT INCREASE
2 IN THE CIGARETTE TAX ON JULY 1, 2006.
3

4 The General Assembly of North Carolina enacts:

5 **SECTION 1.** Section 34.1(e) of S.L. 2005-276, reads as rewritten:

6 "SECTION 34.1.(e) Subsections (d) and (e) of this section are effective when they
7 become law. Subsection (b) of this section becomes effective July 1, ~~2006~~2007. The
8 remainder of this section becomes effective September 1, 2005. If a final judgment by a
9 court of competent jurisdiction declares that G.S. 143-16.6, as enacted by this section, is
10 invalid or unenforceable, then the statute is repealed, and any assignment made under it
11 is void. If, as a result of a final judgment, it is determined that G.S. 143-16.6, as enacted
12 by this section, would subject payments to this State by participating manufacturers
13 under the Master Settlement Agreement, as defined in G.S. 66-290, to a
14 Non-Participating Manufacturer Adjustment under Section IX of that Agreement, then
15 G.S. 143-16.6 is repealed, and any assignment made under it is void."

16 **SECTION 2.** This act is effective when it becomes law.