

CERTIFICATION OF ENROLLMENT

HOUSE BILL 2553

57th Legislature
2002 Regular Session

Passed by the House February 15, 2002
Yeas 98 Nays 0

Speaker of the House of Representatives

Passed by the Senate March 5, 2002
Yeas 48 Nays 0

President of the Senate

Approved

Governor of the State of Washington

CERTIFICATE

I, Cynthia Zehnder, Chief Clerk of the House of Representatives of the State of Washington, do hereby certify that the attached is **HOUSE BILL 2553** as passed by the House of Representatives and the Senate on the dates hereon set forth.

Chief Clerk

FILED

**Secretary of State
State of Washington**

HOUSE BILL 2553

Passed Legislature - 2002 Regular Session

State of Washington 57th Legislature 2002 Regular Session

By Representatives Morris, Pflug, Dunshee, Clements, Conway, Chase,
Rockefeller and Veloria

Read first time 01/21/2002. Referred to Committee on Finance.

1 AN ACT Relating to increasing the number of eligible tribes for
2 cigarette tax contracts; and amending RCW 43.06.460.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

4 **Sec. 1.** RCW 43.06.460 and 2001 2nd sp.s. c 21 s 1 are each amended
5 to read as follows:

6 (1) The governor is authorized to enter into cigarette tax
7 contracts with the Squaxin Island Tribe, the Nisqually Tribe, Tulalip
8 Tribes, the Muckleshoot Indian Tribe, the Quinault Nation, the
9 Jamestown S'Klallam Indian Tribe, the Port Gamble S'Klallam Tribe, the
10 Stillaguamish Tribe, the Sauk-Suiattle Tribe, the Skokomish Indian
11 Tribe, the Yakama Nation, the Suquamish Tribe, the Nooksack Indian
12 Tribe, the Lummi Nation, the Chehalis Confederated Tribes, ((and)) the
13 Upper Skagit Tribe, the Snoqualmie Tribe, and the Swinomish Tribe.
14 Each contract adopted under this section shall provide that the tribal
15 cigarette tax rate be one hundred percent of the state cigarette and
16 state and local sales and use taxes within three years of enacting the
17 tribal tax and shall be set no lower than eighty percent of the state
18 cigarette and state and local sales and use taxes during the three-year
19 phase-in period. The three-year phase-in period shall be shortened by

1 three months each quarter the number of cartons of nontribal
2 manufactured cigarettes is at least ten percent or more than the
3 quarterly average number of cartons of nontribal manufactured
4 cigarettes from the six-month period preceding the imposition of the
5 tribal tax under the contract. Sales at a retailer operation not in
6 existence as of the date a tribal tax under this section is imposed are
7 subject to the full rate of the tribal tax under the contract. The
8 tribal cigarette tax is in lieu of the state cigarette and state and
9 local sales and use taxes, as provided in RCW 43.06.455(3).

10 (2) A cigarette tax contract under this section is subject to RCW
11 43.06.455.

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