
SENATE BILL 5933

State of Washington

58th Legislature

2003 Regular Session

By Senators Hargrove, Franklin and Kline

Read first time 02/21/2003. Referred to Committee on Commerce & Trade.

1 AN ACT Relating to cigarette tax contracts; and amending RCW
2 43.06.460.

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

4 **Sec. 1.** RCW 43.06.460 and 2002 c 87 s 1 are each amended to read
5 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, the Upper
13 Skagit Tribe, the Snoqualmie Tribe, ~~((and))~~ the Swinomish Tribe, and
14 the Quileute Tribe. Each contract adopted under this section shall
15 provide that the tribal cigarette tax rate be one hundred percent of
16 the state cigarette and state and local sales and use taxes within
17 three years of enacting the tribal tax and shall be set no lower than
18 eighty percent of the state cigarette and state and local sales and use
19 taxes during the three-year phase-in period. The three-year phase-in

1 period shall be shortened by three months each quarter the number of
2 cartons of nontribal manufactured cigarettes is at least ten percent or
3 more than the quarterly average number of cartons of nontribal
4 manufactured cigarettes from the six-month period preceding the
5 imposition of the tribal tax under the contract. Sales at a retailer
6 operation not in existence as of the date a tribal tax under this
7 section is imposed are subject to the full rate of the tribal tax under
8 the contract. The tribal cigarette tax is in lieu of the state
9 cigarette and state and local sales and use taxes, as provided in RCW
10 43.06.455(3).

11 (2) A cigarette tax contract under this section is subject to RCW
12 43.06.455.

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