

2SHB 1873 - H AMD TO H AMD (H-3119.1/19) **883**

By Representative Pollet

ADOPTED 04/26/2019

1 On page 4, line 36 of the striking amendment, after "(1)" insert
2 "(a)"

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4 On page 4, at the beginning of line 37 of the striking amendment,
5 beginning with "vapor" strike all material through "82.08 RCW" on page
6 5, line 21 and insert "tax upon the sale, use, consumption, handling,
7 possession, or distribution of all vapor products in this state as
8 follows:

9 (i) All vapor products other than those taxed under (a)(ii) of
10 this subsection are taxed at a rate equal to thirty cents per
11 milliliter of liquid nicotine or solution containing nicotine, and a
12 proportionate tax at the like rate on all fractional parts of a
13 milliliter thereof.

14 (ii) Any accessible container of liquid nicotine, or solution
15 containing nicotine, that is greater than five milliliters, is taxed
16 at a rate equal to ten cents per milliliter of liquid or solution and
17 a proportionate tax at the like rate on all fractional parts of a
18 milliliter thereof.

19 (b) The tax in this section must be imposed based on the volume of
20 the solution as listed by the manufacturer.

21 (2)(a) The tax under this section must be collected at the time
22 the distributor: (i) Brings, or causes to be brought, into this state
23 from without the state vapor products for sale; (ii) makes,
24 manufacturers, fabricates, or stores vapor products in this state for
25 sale in this state; (iii) ships or transports vapor products to
26 retailers or consumers in this state; or (iv) handles for sale any

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1 vapor products that are within this state but upon which tax has not
2 been imposed.

3 (b) The tax imposed under this section must also be collected by
4 the department from the consumer of vapor products where the tax
5 imposed under this section was not paid by the distributor on such
6 vapor products"

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EFFECT: Removes the 37% point-of-sale vapor products tax and replaces it with a two-tiered wholesale tax on vapor products. Taxes accessible containers of liquid nicotine (or solution containing nicotine) that are larger than five milliliters, at 10 cents per milliliter of liquid or solution, and a proportionate tax on any fractional parts of a milliliter. All other vapor products are taxed at a rate of 30 cents per milliliter of liquid nicotine (or solution containing nicotine), and a proportionate tax on any fractional parts of a milliliter.

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