

59-14-304 Transitional inventory tax on tobacco products -- Penalties and interest for failure to comply.

- (1) In addition to the tax described in Section 59-14-302, there is imposed, beginning on July 1, 2010, an inventory tax on all tobacco products subject to the tax described in Section 59-14-302, upon the sale, use, or storage of those tobacco products in the state, as follows:
 - (a) the tax imposed in this section applies only to tobacco products sold, used, or stored in the state on or after July 1, 2010:
 - (i) for which the tax was paid at the tax rate imposed under Section 59-14-302 that was applicable on June 30, 2010; and
 - (ii) for which the tax imposed in this section has not been paid; and
 - (b) the tax imposed in this section is equal to the difference between:
 - (i) the tax imposed on those tobacco products under Section 59-14-302, beginning on July 1, 2010; and
 - (ii) the tax imposed on those tobacco products under Section 59-14-302 on or before June 30, 2010.
- (2) The tax imposed in this section shall be paid by the manufacturer, jobber, distributor, wholesaler, or retailer.
- (3) A person described in Subsection (2) shall remit the tax imposed in this section, in a return prescribed by the commission, on or before July 31, 2010.
- (4) Failure of a person to comply with the requirements of this section subjects the person to the penalties and interest described in Sections 59-1-401 and 59-1-402.
- (5) The commission may not waive the interest or penalties imposed on a person for failure to comply with the requirements of this section.

Amended by Chapter 407, 2010 General Session, (Coordination Clause)

Enacted by Chapter 415, 2010 General Session