

IN THE HOUSE OF REPRESENTATIVES

HOUSE BILL NO. 257

BY REVENUE AND TAXATION COMMITTEE

AN ACT

RELATING TO TAXES ON CIGARETTE AND TOBACCO PRODUCTS; AMENDING SECTION 63-2520, IDAHO CODE, TO REVISE THE DISTRIBUTION OF CERTAIN MONEYS COLLECTED AND TO MAKE TECHNICAL CORRECTIONS.

Be It Enacted by the Legislature of the State of Idaho:

SECTION 1. That Section 63-2520, Idaho Code, be, and the same is hereby amended to read as follows:

63-2520. DISTRIBUTION OF MONEYS COLLECTED. Revenues received from the taxes imposed by this chapter, and any revenues received from licenses, permits, penalties, interest, or deficiency additions, shall be distributed by the tax commission as follows:

(a) An amount of money shall be distributed to the state refund account sufficient to pay current refund claims. All refunds authorized under this chapter by the commission shall be paid through the state refund account, and those moneys are continuously appropriated.

(b) On and after July 1, 2005, the balance remaining with the state treasurer after deducting the amount described in subsection (a) of this section shall be distributed as follows:

(1) 17.3% of such balance shall be distributed to the permanent building fund created by section 57-1108, Idaho Code.

(2) ~~0.41%~~ 1% of such balance shall be distributed to the central ~~tumor~~ cancer registry ~~account~~ fund. The amount of money so distributed to the central ~~tumor~~ cancer registry ~~account~~ fund shall not exceed the fiscal year's appropriation, and at such time as the appropriation has been distributed to the central ~~tumor~~ cancer registry ~~account~~ fund during any fiscal year, all such distributions in excess of the appropriation shall be made instead to the general fund of the state of Idaho.

(3) 1% of such balance shall be distributed to the cancer control account created by section 57-1702, Idaho Code. Revenues received in the cancer control account shall be paid over to the state treasurer by the state tax commission to be distributed as follows:

(i) Such amounts as are appropriated for purposes specified in section 57-1702, Idaho Code, shall be expended as appropriated;

(ii) Any balance remaining in the cancer control account on June 30 of any fiscal year after the amounts withdrawn by appropriation have been deducted, shall be reserved for transfer to the general fund on July 1 and the state controller shall order such transfer.

(4) An amount equal to the annual general fund appropriation for bond levy equalization, pursuant to section 33-906, Idaho Code, shall be annually distributed to the general fund.

(5) All remaining moneys shall be distributed as follows: For the fiscal year commencing July 1, 2005, and ending June 30, 2006, all moneys shall be distributed to the economic recovery reserve fund created by section 67-3520, Idaho Code. For fiscal years on and after July 1, 2006, all moneys shall be distributed to the permanent building

1 fund with the moneys to be used for the repair, remodel and restoration of the state
2 capitol building and state facilities pertaining to the capitol restoration until such time as
3 the capitol restoration is adequately funded as certified by the director of the department
4 of administration. Thereafter all moneys shall be distributed to the economic recovery
5 reserve fund created by section 67-3520, Idaho Code.