

HOUSE BILL NO. 196

IN THE LEGISLATURE OF THE STATE OF ALASKA

THIRTIETH LEGISLATURE - FIRST SESSION

BY REPRESENTATIVE KREISS-TOMKINS

Introduced: 3/24/17

Referred:

A BILL

FOR AN ACT ENTITLED

1 **"An Act relating to a tax on certain opioids; relating to the alcohol and other drug abuse**
2 **treatment and prevention fund; and providing for an effective date."**

3 **BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:**

4 * **Section 1.** AS 43.60.050(a) is amended to read:

5 (a) The alcohol and other drug abuse treatment and prevention fund is
6 established in the general fund. The Department of Administration shall separately
7 account for **and deposit in the alcohol and other drug abuse treatment and**
8 **prevention fund**

9 **(1)** 50 percent of the tax collected under AS 43.60.010; **and**

10 **(2) 100 percent of the tax collected under AS 43.61.100** [AND
11 DEPOSIT IT INTO THE ALCOHOL AND OTHER DRUG ABUSE TREATMENT
12 AND PREVENTION FUND].

13 * **Sec. 2.** AS 43.61.020(b) is amended to read:

14 (b) The marijuana cultivation facility shall pay monthly to the department, all

taxes, computed at the rates prescribed in AS 43.61.010 - 43.61.030 [THIS CHAPTER], on the respective total quantities of the marijuana sold or transferred during the preceding month. The monthly return shall be filed and the tax paid on or before the last day of each month to cover the preceding month.

* **Sec. 3.** AS 43.61.030(a) is amended to read:

(a) Delinquent payments under AS 43.61.010 - 43.61.030 [THIS CHAPTER] shall subject the marijuana cultivation facility to civil penalties under AS 43.05.220.

* **Sec. 4.** AS 43.61 is amended by adding a new section to read:

Article 2. Opioid Tax.

Sec. 43.61.100. Opioid tax. (a) An excise tax of one cent on a morphine milligram equivalent of opioid is levied in the state. The tax is levied when a person

(1) imports an opioid into the state from outside the state for sale;

(2) makes, manufactures, or fabricates an opioid in the state for sale in the state; or

(3) ships or transports an opioid to a retailer in the state for sale by the retailer.

(b) The tax imposed under this section

(1) does not apply to a prescribed drug that is used exclusively for the treatment of opioid addiction as part of a medically assisted treatment effort;

(2) in the case of a product that includes an opioid and another ingredient, applies only to the portion of the product that is an opioid.

(c) The proceeds from the tax on opioids shall be deposited in the alcohol and other drug abuse treatment and prevention fund established under AS 43.60.050.

(d) The department may adopt regulations necessary to implement this section.

(e) The Department of Health and Social Services shall publish the information necessary for a taxpayer to convert an opioid milligram to a morphine milligram equivalent.

(f) In this section,

(1) "opioid" has the meaning given in AS 17.20.085;

(2) "opioid overdose drug" has the meaning given in AS 17.20.085.

1 * **Sec. 5.** This Act takes effect January 1, 2018.