

101ST CONGRESS  
2D SESSION

# H. R. 5714

To amend the Internal Revenue Code of 1986 to impose an annual \$1,000 tax on each cigarette vending machine.

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## IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 25, 1990

Mr. STARK introduced the following bill; which was referred to the Committee on Ways and Means

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## A BILL

To amend the Internal Revenue Code of 1986 to impose an annual \$1,000 tax on each cigarette vending machine.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

3 SECTION 1. ANNUAL TAX ON CIGARETTE VENDING MACHINES.

4 (a) IN GENERAL.--Subchapter D of chapter 52 of the  
5 Internal Revenue Code of 1986 (relating to tobacco products)  
6 is amended by adding at the end thereof the following new  
7 section:

1 "SEC. 5732. TAX ON OPERATION OF CIGARETTE VENDING  
2 MACHINES.

3 "(a) GENERAL RULE.—Every person who owns any  
4 vending machine through which cigarettes are sold or offered  
5 for sale shall pay a tax of \$1,000 per year with respect to  
6 each such machine.

7 "(b) CERTAIN OCCUPATIONAL TAX RULES TO  
8 APPLY.—Rules similar to the rules of subpart G of part II of  
9 subchapter A of chapter 51 shall apply for purposes of this  
10 section.

11 "(c) PENALTY FOR FAILURE TO REGISTER.—If—

12 "(1) any person is required by subsection (a) to  
13 pay tax with respect to any vending machine, and

14 "(2) such person willfully fails to pay such tax,  
15 such person shall be fined not more than \$5,000, imprisoned  
16 not more than 2 years, or both, for each machine with re-  
17 spect to which there is such a failure for any year.

18 "(d) ADDITIONAL TAX.—The tax imposed by this sec-  
19 tion shall be in addition to any other tax imposed under this  
20 chapter."

21 (b) CLERICAL AMENDMENT.—The table of sections for  
22 such subchapter is amended by adding at the end thereof the  
23 following new item:

"Sec. 5732. Tax on operation of cigarette vending machines."

24 (c) EFFECTIVE DATE.—The amendments made by this  
25 section shall take effect on January 1, 1991.