



Please join these organizations in the fight for a healthier New Mexico by implementing a \$1.50 tobacco tax increase!

### Support Senate Bill 231 (2017)

2017 Data  
2018 update available  
in January 2018

The \$1.50 per pack cigarette tax increase is projected to lower youth smoking rates by 17 percent and keep an estimated 11,700 kids from starting to smoke. Additionally, it's projected that more than 14,400 current adult smokers would quit smoking. The tobacco tax increase would also prevent 7,300 premature deaths due to smoking and save the state nearly \$534 million in long-term health care costs due to smoking.

Cigarette price increases of this magnitude are needed to significantly impact smoking rates and effectively counteract the flood of "buy-one, get-one free" promotions, coupons, and other discounts that the tobacco industry typically issues after tobacco tax increases to minimize its loss of customers.

Senate Bill 231:

- Increases the tax on a pack of cigarettes by \$1.50
- Places an equivalent tax on all other tobacco products, including e-cigarettes. The new tax rate for non-cigarette tobacco products will be 74% of product value, which is the manufacturer's price.
- Increases the "Qualifying Tribal Cigarette Tax" by \$1.50.
- Tribes do not receive any additional price advantage
- Generates between \$42,400,000 – \$89,297,000 per year of new revenue.
- Saves \$9,390,000 in Medicaid costs related to tobacco use over 5 years.
- Prevents nearly 12,000 New Mexico kids from ever starting to use tobacco.
- Reduces the number of smoking-affected births by 1,400 over five years.

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# Raise the Tobacco Tax Protect New Mexico Kids

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## Benefits of a \$1.50 per pack cigarette tax increase

Youth Prevented from  
Becoming Smokers

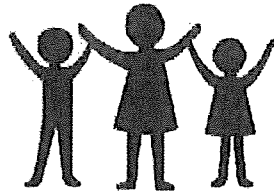
**11,700**

Fewer Smoking-Affected  
Pregnancies & Births

**1,400**

Over 5 Years

**2017 Data**  
2018 update available in  
January 2018



#Raiselt4HealthNM

Percent Decrease in  
Youth Smoking

**16.7%**

Premature Deaths from  
Smoking Prevented

**7,300**

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Save Healthcare Costs  
Generate Revenue

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New Revenue per Year

**\$42.4 Million**

Cigarette Tax Increase \$31.66M  
+ Other Tobacco Products \$10.70M

Medicaid Savings

**\$9.39 Million**

Over 5 Years



**NEW REVENUES, PUBLIC HEALTH BENEFITS & COST SAVINGS  
FROM A \$1.50 CIGARETTE TAX INCREASE IN NEW MEXICO**

- The current state cigarette tax is \$1.66 cents per pack (24th among all states and DC).
- Annual health care expenditures in New Mexico directly caused by tobacco use are \$844 million.

**Projected New Annual Revenue from Increasing the Cigarette Tax by \$1.50 Per Pack: \$31.66 million**

**Additional Revenue from Raising Other Tobacco Product Tax Rates to Parallel New Levels: \$10.70 million**

New Annual Revenue is the amount of additional new revenue the first full year the tax increase is in effect. The state will collect less new revenue if it fails to apply the rate increase to all cigarettes and other tobacco products held in wholesaler and retailer inventories on the effective date.

<b>Projected Public Health Benefits for New Mexico from the Cigarette Tax Rate Increase</b>	
<i>Percent decrease in youth (under age 18) smoking:</i>	<b>16.7%</b>
<i>Youth under age 18 kept from becoming adult smokers:</i>	<b>11,700</b>
<i>Reduction in young adult (18-24 years old) smokers:</i>	<b>2,400</b>
<i>Current adult smokers who would quit:</i>	<b>14,400</b>
<i>Premature smoking-caused deaths prevented:</i>	<b>7,300</b>
<i>5-Year reduction in the number of smoking-affected pregnancies and births:</i>	<b>1,400</b>
<i>5-Year health care cost savings from fewer smoking-caused lung cancer cases:</i>	<b>\$2.61 million</b>
<i>5-Year health care cost savings from fewer smoking-affected pregnancies and births:</i>	<b>\$3.62 million</b>
<i>5-Year health care cost savings from fewer smoking-caused heart attacks &amp; strokes:</i>	<b>\$5.33 million</b>
<i>5-Year Medicaid program savings for the state:</i>	<b>\$9.39 million</b>
<i>Long-term health care cost savings from adult &amp; youth smoking declines:</i>	<b>\$533.96 million</b>

12.22.16 ACS CAN / January 11, 2017

- Small tax increase amounts do not produce significant public health benefits or cost savings because the cigarette companies can easily offset the beneficial impact of such small increases with temporary price cuts, coupons, and other promotional discounting. Splitting a tax rate increase into separate, smaller increases in successive years will similarly diminish or eliminate the public health benefits and related cost savings (as well as reduce the amount of new revenue).
- Raising state tax rates on other tobacco products (OTPs) to parallel the increased cigarette tax rate will bring the state additional revenue, public health benefits, and cost savings (and promote tax equity). With unequal rates, the state loses revenue each time a cigarette smoker switches to cigars, roll-your-own tobacco, smokeless tobacco, or other tobacco products taxed at a lower rate. To parallel the new \$3.16 per pack cigarette tax, the state's new OTP tax rate should be 74% of the wholesale price with minimum tax rates for each major OTP category linked to the state cigarette tax rate on a per-package or per-dose basis.

## Explanations & Notes

Health care costs listed at the top of the page are from the U.S. Centers for Disease Control and Prevention (CDC). Annual health care expenditures in New Mexico directly caused by tobacco use are in 2009 dollars and are from the CDC's 2014 *Best Practices for Comprehensive Tobacco Control Programs*.

Projections are based on research findings that nationally, each 10% increase in the retail price of cigarettes reduces youth smoking by 6.5%, young adult prevalence by 3.25%, adult prevalence by 2%, and total cigarette consumption by about 4% (adjusted down to account for tax evasion effects). However, the impact of the tax increase may vary from state-to-state, based on the starting pack price. Significant tax increases generate new revenues because the higher tax rate per pack brings in more new revenue than is lost from the tax-related drop in total pack sales.

The projections also incorporate the effect of ongoing background smoking declines, population distribution, and the continued impact of any recent state cigarette tax increases or other changes in cigarette tax policies on prices, smoking levels, and pack sales.

These projections are fiscally conservative because they include a generous adjustment for lost state pack sales (and lower net new revenues) from possible new smuggling and tax evasion after the rate increase and from fewer sales to smokers or smugglers from other states, including sales on tribal lands. For ways that the state can protect and increase its tobacco tax revenues and prevent and reduce contraband trafficking and other tobacco tax evasion, see the Campaign for Tobacco-Free Kids factsheet, *State Options to Prevent and Reduce Cigarette Smuggling and to Block Other Illegal State Tobacco Tax Evasion*, <http://tobaccofreekids.org/research/factsheets/pdf/0274.pdf>.

Projected numbers of youth prevented from smoking and dying are based on all youth ages 17 and under alive today. Projected reduction in young adult smokers refers to young adults ages 18-24 who would not start smoking or would quit as a result of the tax increase. Savings to state Medicaid programs include estimated changes in enrollment resulting from federal laws in effect as of December 2016 and state decisions regarding Medicaid expansion. Long-term cost savings accrue over the lifetimes of persons who stop smoking or never start because of the tax rate increase. All cost savings are in 2017 dollars.

Projections for cigarette tax increases much higher than \$1.00 per pack are limited, especially for states with relatively low current tax rates, because of the lack of research on the effects of larger cigarette tax increase amounts on consumption and prevalence. Projections for cigarette tax increases much lower than \$1.00 per pack are also limited because small tax increases are unlikely to produce significant public health benefits.

Ongoing reductions in state smoking rates will, over time, gradually erode state cigarette tax revenues, in the absence of any new rate increases. However, those declines are more predictable and less volatile than many other state revenue sources, such as state income tax or corporate tax revenues, which can drop sharply during recessions. In addition, the smoking declines that reduce tobacco tax revenues will simultaneously produce much larger reductions in government and private sector smoking-caused health care and other costs over time. See the Campaign for Tobacco-Free Kids factsheet, *Tobacco Tax Increases are a Reliable Source of Substantial New State Revenue*, <http://tobaccofreekids.org/research/factsheets/pdf/0303.pdf>.

The projections in the table on this fact sheet were generated using an economic model developed jointly by the Campaign for Tobacco-Free Kids (TFK) and the American Cancer Society Cancer Action Network (ACS CAN) and are updated annually. The projections are based on economic modeling by researchers with Tobacconomics: Frank Chaloupka, Ph.D., John Tauras, Ph.D., and Jidong Huang, Ph.D. at the Institute for Health Research and Policy at the University of Illinois at Chicago, and Michael Pesko, Ph.D., at the Weill Cornell Medical College. The state Medicaid cost savings projections, when available, are based on modeling done by Matthew Buettgens and Hannah Recht at the Urban Institute, with updates by Matt Broaddus at the Center for Budget and Policy Priorities.

For other ways states can increase revenues (and promote public health) beyond just raising cigarette tax rates, see the Campaign factsheet, *The Many Ways States Can Raise Revenue While Also Reducing Tobacco Use and Its Many Harms & Costs*, <http://tobaccofreekids.org/research/factsheets/pdf/0357.pdf>.

***Additional information and resources to support tobacco tax increases are available at:***

***[http://www.tobaccofreekids.org/facts\\_issues/fact\\_sheets/policies/tax/us\\_state\\_local/](http://www.tobaccofreekids.org/facts_issues/fact_sheets/policies/tax/us_state_local/)***

***<http://acscan.org/tobacco/taxes/>***

***<http://tobacconomics.org/>***

***For more on sources and calculations, see <http://www.tobaccofreekids.org/research/factsheets/pdf/0281.pdf> or [www.acscan.org/tobaccotaxexplanations](http://www.acscan.org/tobaccotaxexplanations).***

## SB 231/HB282 (2017) Do Not Give Tribes an Added Price Advantage

There are bills in the House and Senate that would raise the cigarette tax in NM by \$1.50. The Senate sponsor is Howie Morales (SB 231) and our House Sponsor is Liz Thomson (HB 282).

Both bills increase the minimum “qualifying tribal cigarette tax”<sup>1</sup> by the same \$1.50, so the tribes do not receive any additional price advantage.

### Tax Rate will be increased by \$1.50 per pack on tribal land and off tribal land under SB 231/HB 282

	Current NM Cigarette Tax Rate per pack of 20:	Increase the Tax by \$1.50 per pack of 20	Cigarette Tax Rates under SB 231/ HB 282 per pack of 20:
<b>Tribal Cigarette Tax</b>	\$0.75 Tribal Cigarette tax (minimum)	+ \$1.50 =	\$2.25 Tribal Cigarette Tax (minimum)
<b>State Cigarette Tax</b>	\$1.66 State Cigarette Tax	+ \$1.50 =	\$3.16 State Cigarette Tax
<b>Differential</b>	\$0.91 Differential	no change in differential =	\$0.91 Differential

When Tribes implement their own “qualifying tribal cigarette tax” they use a “tax-credit stamp,”<sup>2</sup> provided by the NM Taxation and Revenue Department, to indicate the cigarettes will be sold by a retailer located on land of a tribe that has imposed a qualifying tribal cigarette tax.

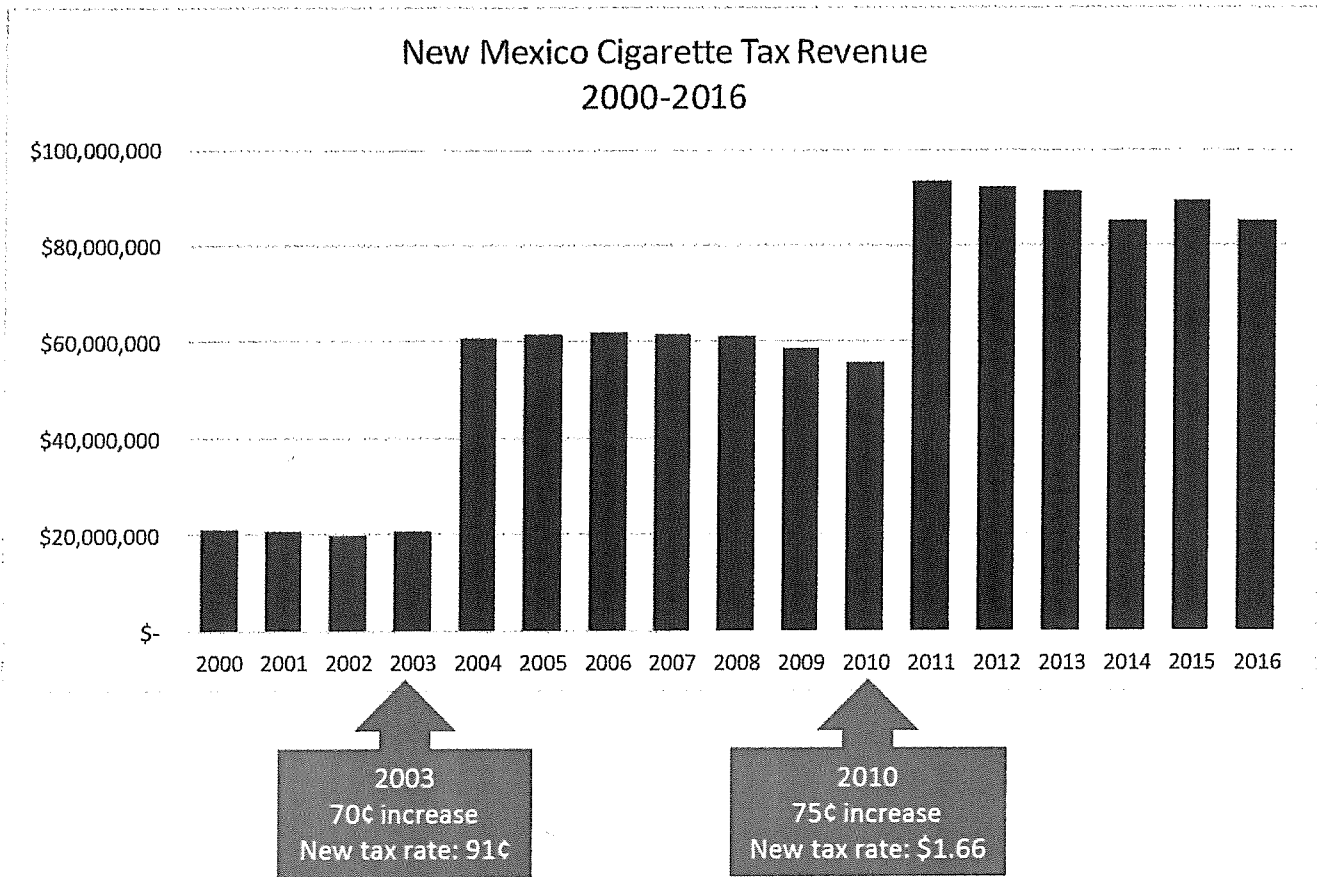
<sup>1</sup> The current “qualifying tribal cigarette tax” rate is a minimum rate of \$0.75 per pack of 20, according to the Cigarette Tax Act NMSA 1978 7-12-2.K

<sup>2</sup> “Tax-credit stamp” is defined in the Cigarette Tax act as, “a stamp that indicates the cigarette package bearing the stamp is to be or has be sold by a retailer located on land of a tribe that has imposed a qualifying tribal cigarette tax”. NMSA 1978 7-12-2.O

# WHERE DOES NEW MEXICO STAND ON TOBACCO TAXES?

<b>New Mexico Specifics</b>	<b>Cigarette Excise Tax NMSA 1978, § 7-12</b>	<b>Tobacco Products Excise Tax NMSA 1978, § 7-12A</b>
<b>Tax Rate:</b>	\$1.66 per pack of 20	25% of product value (roughly = wholesale value)
<b>Last Increase:</b>	2010	1986
<b>Compared to Nation:</b>	Lower than the national average	Lower than the national average
<b>Compared to Region:</b>	Lower than Arizona, Nevada and Utah  Higher than Colorado and Texas	Lower than Arizona, Colorado, Nevada, Texas and Utah

# NM Cigarette Tax Revenue



Source: US Centers for Disease Control and Prevention

<https://chronicdata.cdc.gov/Policy/Table-of-Gross-Cigarette-Tax-Revenue-Per-State-Orz/rkpp-igza/data>

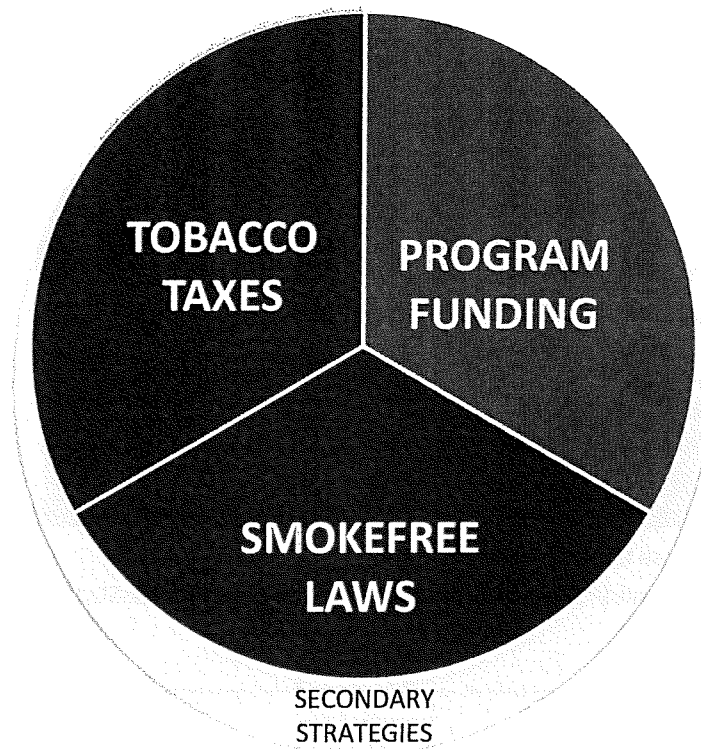
Accessed on 11.27.17

State Fiscal Year	Tax per pack	Cigarette tax stamps sold	Tax credit or tax exempt stamps distributed
2010	\$ 0.91	60,627,000	30,645,000
2011	\$ 1.66	56,175,000	24,330,000
2012	\$ 1.66	54,109,500	24,165,000
2013	\$ 1.66	55,078,499	20,595,000
2014	\$ 1.66	51,345,000	16,530,000
2015	\$ 1.66	53,841,000	18,060,000



# EVIDENCE-BASED POLICY STRATEGIES TO REDUCE TOBACCO USE

**WE KNOW WHAT WORKS TO REDUCE TOBACCO-RELATED DISEASE AND DEATH**



## Most Effective Strategies

1. Regularly and Significantly Increase Tobacco Taxes
2. Fund Evidence-Based Tobacco Prevention and Cessation Programs at the CDC-recommended level
3. Comprehensive Smoke-Free Policies