

Cigarette Tax – County

Taxpayer

Taxpayers are cigarette dealers (primarily wholesalers), who must be licensed and who pay the tax by purchasing tax indicia (stamps or impressions). The indicia must be affixed to all packs of cigarettes before sale at retail in a county that levies such taxes.

Tax Base

Cigarettes.

Rates

In the past, the Ohio General Assembly permitted county cigarette taxes to be levied at the following rates:

- Up to 0.225 cents per cigarette (4.5 cents per pack of 20 cigarettes) for construction of a sports facility.
- Up to 1.5 cents per cigarette (30 cents per pack of 20 cigarettes) for the purpose of funding a regional arts and cultural district in a county with a population of 1.2 million or more.

Cuyahoga County currently levies both of these taxes at the maximum rate. No other county levies a tax on cigarettes; in 2008 the General Assembly prohibited new local taxes on cigarettes.

Major Exemptions

None.

Revenue

(In Millions)

Fiscal Year	Revenue	Adm. Fund	Total
2006	\$3.7	\$0.1	\$3.8
2007	12.9	0.3	13.2
2008	23.0	0.5	23.5
2009	21.6	0.4	22.1
2010	20.5	0.4	20.9

Disposition of Revenue

The county or development corporation receives 98 percent of revenue. In Cuyahoga County, this revenue is split as follows:

- 13.04 percent goes to operate or service the debt of a sports facility.
- 86.96 percent goes to the regional arts and cultural district.

Two percent of revenue is distributed to the Department of Taxation for the administration of the tax.

Payment Dates

See the **Cigarette and Other Tobacco Products Tax** chapter in the **State Taxes** section.

Special Provisions/Credits

See the **Cigarette and Other Tobacco Products Tax** chapter in the **State Taxes** section.

Sections of Ohio Revised Code

Sections 307.696, 307.697, 351.26, 3381.04, 5743.021 and 5743.024.

Responsibility for Administration

Tax Commissioner.

History of Major Changes

- 1986** General Assembly authorizes county sports facility cigarette tax.
- 1990** Voters of Cuyahoga County approve a 4.5 cents-per-pack tax to run through July 31, 2005. Revenue is intended to finance sports facilities for the Cleveland Indians and Cavaliers.
- 1995** In July, the Ohio General Assembly permits counties to extend cigarette taxes that have not yet expired. In November, Cuyahoga County voters extend the county sports facility cigarette tax for ten years, through July 31, 2015, in order to support facility improvements for the Cleveland Browns.

2006 The General Assembly authorizes counties with a population of 1.2 million or more to levy a cigarette tax to fund a regional arts and cultural district. Cuyahoga County voters enact such a tax, at 30 cents per pack, to take effect Feb. 1, 2007.

2008 The General Assembly enacts House Bill 562, which includes a provision that prohibits future local taxes on cigarettes.

Comparisons with Other States

(As of December, 2008)

California, Florida, Indiana, Kentucky, Massachusetts, Michigan, New Jersey, Pennsylvania, Texas, and West Virginia do not have local taxes on cigarettes.

In **Illinois**, Cook County levies a \$2 per pack cigarette tax, and additional local cigarette taxes apply in Chicago (68 cents) and Evanston (50 cents).

In **New York**, a \$1.50 per pack tax applies in New York City.