

State Clean Indoor Air Act, Indoor Smoking Rules, and Tobacco Sales Information



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Disclaimer: This is an aggregation of information and is not legal advice. Consult a licensed attorney when looking into federal, state, and local tobacco regulations and laws.



State Clean Indoor Air Act, Indoor Smoking Rules, and Tobacco Sales Information

1. ALABAMA

1. Those wishing to operate a Cigar Bar, Cigar Lounge, or Tobacco Retail Establishment must apply for a Tobacco Permit from the Alabama Alcoholic Beverage Control Board (ABC) consistent with the Code of Ala. 1975, §§28-3A-3(b); 28-11-4. For those wishing to serve alcohol in your establishment, applications must be consistent under Title 28, Code of Ala. 1975. Such application must include the following:
 - (a) The name, date, place of birth, address, telephone number, race, gender, drivers license number, and social security number of every person who has any proprietary or profit interest in the establishment unless it is a corporation whose shares are traded in the stock exchange.
 - (b) An accurate and complete criminal record or all arrests and subsequent dispositions for the past (10) ten years for all parties named above. For Corporations, of each officer or director.
 - Minor vehicle offenses are not required, but vehicle offenses involving driving under the influence are required along with the Courts involved and dispositions.
 - (c) If a corporation, club, or association, the person(s) making such application will certify its completeness.
 - (d) An agreement from the permittee, allowing law enforcement to search and enter the premise or any associated premise without a search warrant whether it's a private dwelling or commercial property.
 - (e) The ABC Board reserves the right to request additional documents of ownership such as a copy of deed. Recorded sales contracts or lease agreements.
 - (f) The ABC Board reserves the right to request any additional information that they may see fit.
2. The ABC Board reserves the right to revoke the permit if any false, incorrect, or incomplete statements are discovered on the application.
3. The applicant may be subject to verification of truthfulness methods such as interviews and backgrounds through the Alabama Criminal Justice Information Center.
4. Social Security Numbers disclosed under an application will only be used for investigation purposes and not the public record.

[Alabama Administrative Code \(state.al.us\)](http://state.al.us)

2. ALASKA

There are two steps that must be taken in order to be able to sell tobacco products.

1. Consistent with AS 43.70.020, you must apply for a State of Alaska Business License to do any business in the state of Alaska. A comprehensive guide on [How to Get Licensed](#) can be found under this link.
2. Consistent with AS 43.70.075, you must then purchase an Endorsement Form to attach to the Business License Application from the Business Licensing with the Division of Corporation for each physical location where tobacco products will be sold. For new endorsements, the form found here must be filled out and sent to the Department of Commerce when applying for a Business License.
 - The Department charges a flat fee of \$100 for the issuance of a Business License with Endorsement to sell Tobacco Products.
 - The Endorsement will expire at the same time as the License to which it attaches.

If you are an existing Tobacco Business seeking to renew your license and endorsement, the document found [Here](#) must be filled out.

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- The license cannot have lapsed for more than nine months.
- If anything material has changed within your business, such as a name change, product change, change, or owner name, a new business license is required. For all requirements for renewal, see [Here](#).

1. [Endorsement FAQs, Business Licensing, Division of Corporations, Business and Professional Licensing \(alaska.gov\)](#)
2. [BusinessLicenseStatutes.pdf \(alaska.gov\)](#)
3. [Renew BL Online, Business Licensing, Division of Corporations, Business and Professional Licensing \(alaska.gov\)](#)

3. ARIZONA

- Appears do not need a Retail License
- Look at the Distributor License. Make sure the Retailer does not fall under Distributor

4. ARKANSAS

- An Arkansas Tobacco License can only be obtained through an authorized government agency. [Here](#)

SMOKING REGULATIONS IN ARKANSAS

Chapter 27, Subchapter 18 of the Arkansas Code of 1987 is known as “The Arkansas Clean Indoor Air Act of 2006”.[i] It prohibits tobacco usage in certain public areas, buildings, and facilities

Persons are also allowed to smoke in restaurants and bars licensed by the State of Arkansas. However, the bar or restaurant should not at any time permit persons less than twenty-one years of age from entering the premises, and secondhand smoke should not infiltrate into areas in which smoking is prohibited, and such bars and restaurants should prominently display a health warning sign.

5. CALIFORNIA

In the State of California, tobacco product licensing for retailers is regulated by the California Cigarette and Tobacco Products Licensing Act. The California Department of Tax and Fee Administration (CDTFA) also administers the licensing of tobacco businesses, [Licensing Register Renew Requirements](#)

- Fee \$265 Annually per location
- Valid California Tobacco Products License
- Submit resale certificate to distributor or supplier
- Keep invoices for tobacco products for four years
- Keep purchase invoices at each location for one year
- Allow viewing of product invoices by (CDTFD) upon request
- Retailers not authorized to purchase tobacco products from other retailers
- Retailers only purchase California tobacco products tax, paid products
- Many cities require a Local License in addition to a State License
- Fees and requirements: city and county have different requirements and fees; you must check the local website or office.

[Smoke-Free Regulations and Retail Tobacco Licensing](#)

California Smoke-Free Workplace

- There is an exemption to the law that does allow smoking in retail tobacco shops and private smokers’ lounges.

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6. COLORADO

- All retailers selling tobacco products within Colorado are required to obtain a tobacco product retail license through the Liquor and Tobacco Enforcement Division.

SBG.Colorado.gov.

COLORADO CLEAN AIR ACT, ARTICLE 14, TITLE 25

A cigar-tobacco bar:

- (a) Shall not expand its size or change its location from the size and location in which it existed as of December 31, 2005; and
- (b) Shall prohibit entry by any person under twenty-one years of age and shall display Signage in at least one conspicuous place and at least four inches by six inches in size stating: “Smoking allowed. Persons under twenty-one years of age may not enter.”

A retail tobacco business:

- (a) Shall prohibit entry by any person under twenty-one years of age; and
- (b) Shall display signage in at least one conspicuous place and at least four inches by six inches in size, stating either:
 - (I) “Smoking allowed. Persons under twenty-one years of age may not enter or
 - (II) In the case of a retail tobacco business that desires to allow the use of ESDs but not other forms of smoking on the premises, “Vaping allowed. Persons under twenty-one years of age may not enter.”

25-14-205. Exceptions to smoking restrictions

- (d) Any retail tobacco business; except that the requirements in section 25-14-204 (3) and any related penalties apply to a retail tobacco business;
- (e) A cigar-tobacco bar;

7. CONNECTICUT

If the retailer purchases taxed tobacco products exclusively from licensed tobacco product distributors, then the only license required to sell taxed tobacco products is a cigarette dealer’s license

CONNECTICUT CLEAN AIR ACT

Exceptions to the Law:

- Tobacco bars pursuant to Chapter 545 that, in the calendar year ending December 31, 2003, generated 10% or more of its total annual gross income from the on-site sale of tobacco products

AMENDMENTS TO THE CONNECTICUT CLEAN INDOOR AIR ACT

Revised on 7/3/23

EFFECTIVE OCTOBER 1, 2023

Public Act No. 23-103: An Act Concerning Alcoholic Liquor Permits and Tobacco Bars

- This will roll back certain provisions of the Clean Indoor Air Act to once again allow cigar bars in certain municipalities and under limited conditions to obtain a liquor permit and allow smoking or vaping in the business.
- There are requirements such as for ventilation systems, especially if the business is in an area with collocated businesses instead of a standalone building, and all employers must provide insurance coverage for their employees. More information on this bill will be posted once the analysis is complete.

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8. DELAWARE

- License Requirement: Any business that sell tobacco products at wholesale and, or retail must have a wholesale and, or retail license.
- May also need additional licensing depending on business type and what tobacco products are being sold.
www.onestopdelaware.gov

DELAWARE CLEAN INDOOR AIR ACT

- There is no exception for smoking cigars in a tobacco retail shop, bar, lounge

9. FLORIDA

- A Retail Tobacco Products Dealer Permit authorizes the retail sale of tobacco products and nicotine products to customer
- Myfloridalicense.com

CHAPTER 386

SANITARY NUISANCES; FLORIDA CLEAN AIR ACT

386.2045: ENCLOSED INDOOR WORKPLACES; SPECIFIC EXCEPTIONS

- Notwithstanding s. 386.204, tobacco smoking may be authorized in each of the following places:
- A retail tobacco shop
- A stand-alone bar that complies with all applicable provisions of the Beverage Law and this part.

10. GEORGIA

- Need Sales Tax Permit and Sales and Use tax number

<https://infotaxsquare.com/secretary-state/georgia-retail-cigarette-license.htm#:~:text=Yes%2C%20for%20tobacco%20retail%20license,for%20the%20vending%20machine%20operations.>

GEORGIA SMOKEFREE AIR ACT

Exemptions

- Restaurants, Bars that deny access to any person under the age of 18 and do not employ individuals under the age of 18, or Private rooms in restaurants and bars if the rooms are enclosed and have an air handling system independent from the main air system that serves all other areas of the building and all air within the private room is exhausted directly to the outside by an exhaust fan of sufficient size.
- Retail tobacco stores, provided that secondhand smoke does not infiltrate areas where smoking is prohibited.

11. HAWAII

- A retailer involved in the sale of tobacco products is required to obtain a retail tobacco permit.
- Fee is \$20 per retail tobacco permit
- Permits are valid for one year (December 1st to November 30th)
- Hawaii Smoke Fee Law
- Exceptions
- Retail tobacco stores where the smoke cannot affect non-smoking areas

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12. IDAHO

- A Tobacco Retailer must have an Idaho Tobacco Permit issued by the Department's Idaho Tobacco Project. <https://www.tobaccopermits.com/Idaho/>

IDAHO CLEAN AIR

TITLE 39 HEALTH AND SAFETY

CHAPTER 55 CLEAN INDOOR AIR

39-5503. PROHIBITIONS — EXCEPTIONS. (1) No person shall smoke in a public place, publicly-owned building or office, or at a public meeting, except in the following, which may contain smoking areas or be designated as smoking areas in their entirety:

- (a) Bars;
- (b) Retail businesses primarily engaged in the sale of tobacco or tobacco products

13. ILLINOIS

- A Tobacco Products Retailer License is required
- Register online at My Tax Illinois <https://mytax.illinois.gov/>
- \$75 annual fee per location

PUBLIC HEALTH

(410 ILCS 82/) Smoke Free Illinois Act.

Exemptions:

Retail Tobacco Stores, as defined in Section 10 of this Act, in operation prior to the effective date of this amendatory Act of the 95th General Assembly. The retail tobacco store shall annually file with the Department by January 31st an affidavit stating the percentage of its gross income during the prior calendar year that was derived from the sale of loose tobacco, plants, herbs and cigars, cigarettes, pipes, or other smoking devices for smoking tobacco and related smoking accessories. Any retail tobacco store that begins operation after the effective date of this amendatory Act may only qualify for an exemption if located in a freestanding structure occupied solely by the business and smoke from the business does not migrate into an enclosed area where smoking is prohibited.

14. INDIANA

- A person may only sell, or distribute in exchange for consideration a tobacco product at retail with a valid tobacco sales certificate issued by the ATC (Alcohol & Tobacco Commission)
- A certificate may only be issued to a person who owns or operates a permanent building or structure where the tobacco product is sold or distributed.
- Applications for tobacco certificates are available at <http://www.in.gov/atc/2474.htm>

INDIANA SMOKE FREE LAW

- Smoking is permitted in Tobacco Retail Shops, and Cigar Bars <https://www.in.gov/health/tpc/indianas-state-smoke-free-air-law/>

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15. IOWA

- Anyone selling tobacco products to the final consumer must be licensed as an Iowa Cigarette/Tobacco Retailer
- The Iowa Retail Cigarette/Tobacco Permit is required for selling cigarettes only, tobacco products only, or both cigarette and tobacco products at retail.
- <https://casetext.com/regulation/iowa-administrative-code/agency-701-revenue-department/title-iii-sales-use-and-excise-tax/chapter-256-tobacco-tax/rule-701-25612-retail-permits-required>

CHAPTER 142D THE IOWA “SMOKEFREE AIR ACT”

- Smoking is permitted in retail tobacco stores, but the smoke should not infiltrate into areas in which smoking is prohibited.

16. KANSAS

- Tobacco retailers that sell tobacco products other than cigarettes need to file a Kansas Business Tax Application (Form CR-16)
- Electronically file a Retailers Sales Tax Form (Forms ST-16 and ST-36), a Retailers Compensating Use Tax Return (CT-9U and CT-10U)
- With the Kansas Department of Revenue by the 25th of each month <https://www.ksrevenue.org/eservices.html>
- Local jurisdictions may require additional business licenses.

KANSAS CLEAN AIR ACT

The provisions of this chapter shall not apply to

- Tobacco Shops

17. KENTUCKY

- No requirement for a retail sale license
- If the retailer is purchasing tobacco products not taxed by a distributor, the retailer will need to obtain a retail distributors license from the department of revenue
- <https://infotaxsquare.com/secretary-state/kentucky-retail-cigarette-license.htm>

KENTUCKY CLEAN AIR ACT

- Exception
- In a retail tobacco product store
- In a tobacco warehouse

<https://codelibrary.amlegal.com/codes/franklincoky/latest/franklincoky/0-0-0-3554>

18. LOUISIANA

- Must obtain a Retail Dealer Registration Certificate
- \$25 Per Year per retail outlet where cigars, cigarettes, or tobacco products are offered for sale either over the counter or by vending machine.

LOUISIANA CLEAN AIR ACT

Nothing shall prohibit smoking in any of the following places

- Any retail tobacco business
- Any bar

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19. MAINE

- A retail Tobacco License is required
- Issued by Maine Department of Health and Human Services www.maine.gov/dhhs/mecdc/environmental-health/el/site-files/forms/Maine%20Retail%20Tobacco%20Application.pdf?v3

TITLE 22: HEALTH AND WELFARE

Chapter 2621: Smoking

1542. Smoking is Prohibited in public places

Exception

- L- Smoking is not prohibited in a tobacco specialty store. The on-premises service, preparation, or consumption of food or drink, if the tobacco specialty store is not licensed for such service or consumption prior to January 1, 2007, is prohibited in such a store.

20. MARYLAND

- Each person must be licensed as an “Other Tobacco Products Retailer
- A license to act as an Other Tobacco Product Retailer is required for each place of business where a person acts as an Other Tobacco Products Retailer
- <https://law.justia.com/codes/maryland/2014/business-regulation/title-16.5.-other-tobacco-products-licenses/subtitle-1/section-16.5-101>
- Maryland Courts Clerks Office, Business Licenses
- <https://www.courts.state.md.us/clerks/washington/business>

MARYLAND CLEAN AIR ACT

Does not apply to:

- A retail tobacco business that is a sole proprietorship, limited liability company, corporation, partnership, or other enterprise in which:(i) The primary activity is the retail sale of tobacco products and accessories

21. MASSACHUSETTS

- All sellers of cigars must be licensed
- Retailers apply online [https://mtc.dor.state.ma.us/mtc/ /](https://mtc.dor.state.ma.us/mtc/)
- File Form CT-CDL and Form CT-PQ for all cigar licenses except a retailer’s license and submit these forms through MassTaxConnect.
- Most communities also require separate local tobacco licenses. These are obtained from the local board of health or municipality.

MASSACHUSETTS CLEAN AIR ACT

Smoking may be permitted in:

- (4) A retail tobacco store, if the store maintains a valid permit for the sale of tobacco products issued by the appropriate authority in the city or town in which the retail tobacco store is located. All required permits shall be displayed in a conspicuous manner, visible at all times to patrons of the establishment.
 - (5) A smoking bar if the smoking bar maintains a valid permit pursuant to this section. All required permits shall be displayed in a conspicuous manner, visible at all times to patrons of the establishment.
- <https://malegislature.gov/Laws/GeneralLaws/PartIV/TitleI/Chapter270/Section22>

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22. MICHIGAN

- A Michigan Tobacco Products Tax License as either a wholesaler or unclassified acquirer is required if purchasing directly from a manufacturer or an out-of-state distributor
- A Local Michigan Business purchasing tobacco from local distributors and only selling to the end customer is not required to obtain a Michigan Tobacco Products TAX License.
- [License Instructions](#)
- [Apply for a Tobacco License Here](#)

MICHIGAN SMOKE-FREE INDOOR AIR LAW [Here](#)

Exemptions

Cigar bars: Smoking may be allowed, but must meet ALL criteria

- In existence
- 10% of total gross annual sales come from on-site sales of cigars and on-site rental humidors
- Separately located from any area where smoking is prohibited, and smoking does not infiltrate into nonsmoking areas
- Has insulated humidor on-site
- Prohibits anyone under 18 years of age from entry during business hours
- Allows only the smoking of cigars over \$1.00
- Prohibits smoking all other tobacco products
- To claim the exemption, file an affidavit on January 31 each year

Tobacco Specialty Shops: Smoking may be allowed, but must meet specific criteria

- In existence
- Generates 75% or more gross annual income from on-site sale of tobacco products and smoking paraphernalia
- Separately located from any area where smoking is prohibited, and smoke does not infiltrate into nonsmoking areas.
- Prohibits anyone under 18 years of age from entry during business hours
- To claim the exemption, file an affidavit on January 31 each year

23. MINNESOTA

- Retail Seller of tobacco products must have a Minnesota Cigarette and Tobacco Product and Retailer's License prior to purchasing or selling cigarettes or tobacco products
- A separate license is required for each location tobacco products are sold at retail
- Licenses are issued and administrated by the city, county, or town where the business is located.
- Minnesota Licensing [Here](#)

MINNESOTA CLEAN AIR ACT [Here](#)

- Tobacco Shop exception, for sampling purposes only

18. Mississippi

- A permit is required for the retail sale of tobacco
- No fee for the retail permit
- Apply for a permit online [Here](#)

24. MISSISSIPPI

Mississippi Clean Air Act

- Mississippi does not have a statewide smoke-free law
- There are over 140 smoke-free ordinances throughout the state

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25. MISSOURI

- Cigars are considered “Other Tobacco Products.”
- Requirements to obtain a Cigarette Tax and Other Tobacco Products License
- Completed application Form 2643
- Surety, cash bond, or letter of credit
- \$100 license fee

MISSOURI CLEAN INDOOR AIR LAW [Here](#)

Areas where Smoking is permitted:

- Bars, Taverns
- In a place where more than fifty percent of the volume of trade or business carried on is the blending of tobaccos or sale of tobaccos, cigarettes, pipes, cigars, or smoking sundries.

26. MONTANA

- A Tobacco Product Retailer License is required to sell directly to the public
- \$50 annual fee
- Apply or renew your license using eStop Business Licenses Services [Here](#)

MONTANA CLEAN AIR ACT

- Smoking is prohibited in any enclosed public place.

27. NEBRASKA

Cigar Shop [Cigar Shop Defined](#)

Business Requirements:

- Cigar Shop Certification [Here](#)
- Submit with a \$1,000 non-refundable application fee

Tobacco Products License and Registration Application [Here](#)

- Register with the local city, county office
- Fee ranges from \$10 to \$25
- License valid for one year (expires in December)
- Class C Liquor License [Here](#)

NEBRASKA CLEAN INDOOR AIR ACT

Exception: [Here](#)

- Retail Tobacco Outlets
- Cigar Shops

28. NEVADA

Business Requirement:

- Tobacco retail dealer’s license [Here](#)
- Application fee \$50

NEVADA CLEAN AIR ACT [Here](#)

The use of tobacco products is allowed in:

- Stand-alone bars, taverns, saloons
- Retail tobacco stores

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29. NEW HAMPSHIRE

BUSINESS REQUIREMENT

On-Premises Cigar, Beverage, and Liquor License [Here](#)

Overview:

- Allows Sale Alcohol
- Must Generate 60 or more gross revenue from the sale of cigar-related products, humidors, cigar cutters, cigar cases, lighters, ashtrays
- Has Humidor on premises
- No person under 21 years of age on premises unless accompanied by a legal parent, guardian
- Cigarette smoking or the sale of food is not allowed on the premises
- Only liquor or beverages sold by the licensee are allowed on the premises
- All applicants for hire be presented with notice of negative health working conditions

30. NEW JERSEY

New Jersey Smoke-Free Air Act Exemptions:

- A cigar bar and tobacco retail establishments must file a waiver. They must meet specific requirements to receive the waiver from the local Department of Health. [Waiver exemption requirements application](#)
- [Application](#)
- Must obtain Cigarette retailer license and certificate of authority to sell other tobacco products
- \$50 fee per location
- The annual renewal period is April 1st through March 31st.

31. NEW MEXICO

- Retailers required to obtain Tobacco License [Here](#)
- Licensing fees of up to \$750 per location
- Application fee of up to \$750 per location
- Renewal of licensing fee annually, \$400 per location not to exceed

CLEAN INDOOR AIR ACT

Exceptions:

- A retail tobacco store; provided that, for a retail tobacco store established on or after the effective date of this 2019 act, the store shall be located in a standalone building;
- A cigar bar; provided that, for a cigar bar established on or after June 14, 2019, the bar shall be located in a standalone building;

32. NEW YORK

A tobacco Retail Dealer License is required to sell cigars in New York

- Requirements, fees, and online application: [Here](#)

NEW YORK SMOKE-FREE AIR ACT

- Smoking in Retail Tobacco Stores is not regulated by this chapter. [Here](#)

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33. NORTH CAROLINA

Tobacco Products License

- Requirements and Application: [Here](#)

North Carolina Smoking Prohibited in Public Places. [Here](#)

Exceptions:

Cigar Bar requirements:

If began business after July 1, 2009

- Smoke does not migrate to prohibited areas
- Only allow smoking if free-standing structure solely for cigar bar
- Satisfactorily report quarterly on the form the revenue generated for the sale of alcohol and cigars as a percentage of quarterly gross revenue

Tobacco Shop:

If began business after July 1, 2009

- Smoke does not migrate to prohibited areas
- It must be a free-standing building solely for tobacco shop

34. NORTH DAKOTA

A retail Tobacco License is required. [Here](#)

- Fee
- License expires June 30th each year
- The license must be renewed prior to expiration
- A separate license is required for each place of business

Tobacco Products Tax Law: [Here](#)

North Dakota Smoke-Free Law

North Dakota prohibits smoking in all enclosed areas of public places, including retail tobacco stores

35. OHIO

Tobacco Retailers: Required to apply for and retain a valid Retail Tobacco and Paraphernalia Sales License each year. [Here](#)

- Must obtain a license for each location
- Must be renewed by February 1st each year
- \$1,000 Annual fee per license
- The Excise Tax Unit of the Department of Taxation issues the license

OHIO SMOKE-FREE WORKPLACE

Exemption of Retail Tobacco Stores. [Here](#)

- Exemption is from April 1st, the year the Exemption Affidavit is filed, to March 31st of the following year
- An exemption may be granted, providing the requesting retail store meets the following requirements
- Free-standing structure solely occupied by the retail tobacco store
- Smoke does not migrate into the area; smoking is prohibited
- File an affidavit annually with the Ohio Department of Health stating the percentage gross revenue from the prior year derived from lighted or heated tobacco products and related smoking accessories.
- Provide any additional information upon request of the Ohio Department of Health.
- The affidavit will be postmarked by January 31st, the year the affidavit is submitted.

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36. OKLAHOMA

Retail Tobacco License

- Businesses must obtain a separate license for each location

[Business Registration and Retail Tobacco Licensing](#)

Oklahoma Statute Smoking in Public Places and Indoor Workplaces [Here](#)

- The restrictions provided in this section shall not apply to stand-alone bars, stand-alone taverns, and cigar bars as defined in Section 1-1522 of Title 63 of the Oklahoma Statutes.
- Retail tobacco stores predominantly engaged in the sale of tobacco products and accessories, and no food or beverage is sold or served for consumption on the premises.

37. OREGON

Oregon Tobacco Retail License Program

Any Business selling tobacco [Licensing and Sales](#)

- Required to obtain a Retail Tobacco License
- Licensing requirement is imposed on all businesses, including Bars
- Retailers pay a \$953 annual fee for a license
- Retailers are required to have separate licenses per location
- Any business selling tobacco, including a cigar bar, is considered a tobacco retailer and required to purchase a license to continue selling tobacco.

OREGON INDOOR CLEAN AIR ACT [Here](#)

Exceptions

- Smoking tobacco products certified tobacco shops
- Smoking cigars in certified cigar bars

38. PENNSYLVANIA

License Required [tobacco tax and licensing rules](#)

- Other Tobacco Retail License
- Businesses are required to obtain separate licenses for each location
- Fee \$25 per location
- Philadelphia retailer permit, if applicable
- Renew license annually online

PENNSYLVANIA CLEAN AIR ACT [Here](#)

Exempt

- Bars with 20% or less revenue from food
- Tobacco Shops
- Cigar Bars

39. RHODE ISLAND

Retailer Requirements

- Smoking bar return and revenue report [Here](#)
- Bar business application and registration [Here](#)

RHODE ISLAND PUBLIC HEALTH AND WORKPLACE SAFETY ACT

Exception [Here](#)

- Retail tobacco stores, provided smoke does not infiltrate the area where smoking is prohibited.

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40. SOUTH CAROLINA

Other Tobacco Products Retail License Required [Here](#)

- Required to file and pay Monthly, Other Tobacco Products Return electronically [Here](#)

SOUTH CAROLINA CLEAN AIR ACT [Here](#)

SECTION 44-95-30. Designation of smoking and nonsmoking areas in places where smoking is prohibited

- Owner, manager, and agent shall conspicuously display signs indicating smoking and nonsmoking areas

SECTION 44-95-40 separation of smoking and nonsmoking areas barriers, ventilation

- The owner, manager, and agent shall make every reasonable effort to prevent designated smoking areas from impinging upon designated smoke-free areas using physical barriers and ventilation

41. TENNESSEE

Retailers are not required to obtain a Tobacco License to sell tobacco products in Tennessee. [Here](#)

TENNESSEE CLEAN AIR ACT EXCEPTION [Here](#)

- Only the premises of any manufacturer, importer, or wholesaler of tobacco products, and all premises of any tobacco leaf dealer or processor, and all tobacco storage facilities.

42. TEXAS

- A Retail Permit is required for each place of business where tobacco products are sold.
- Sales and Tax Permits are also required.
- Retail permits are issued on the first day of June in even-numbered years and expire on the last day of June in each even-numbered year.
- Permit fee \$180
- \$59 late fee for failure to renew by renewal date
- Sales tax must be collected and recorded on the sale of the tobacco product.
- [Tobacco Products Tax Permit](#)

TEXAS CLEAN AIR ACT

Where smoking is not regulated:

- A retail tobacco store
- Bars that satisfy all adult venue requirements

43. UTAH

UTAH INDOOR CLEAN AIR ACT [Here](#)

Smoking is prohibited in indoor public places

44. VERMONT

A Tobacco License is required to sell retail tobacco

- Requirements [Here](#)
- License [Here](#)

VERMONT CLEAN AIR ACT

Smoking in public places

Exemption: [Here](#)

- Tobacco Business that does not sell food or beverages but is established to provide a setting for patrons to purchase and use tobacco and other related tobacco products

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45. VIRGINIA

- Retailers are not required to obtain a license to sell tobacco products
- Retailers are required to obtain a seller's permit
- A seller's permit allows retailers to collect sales tax from their customers [Here](#)

VIRGINIA CLEAN AIR ACT EXCEPTION;

- Restaurants where any area that permits smoking is structurally separated from the area of the restaurant where smoking is prohibited, and entry and exit are through a door.
- Areas are vented to prevent recirculation of air to areas where smoking is prohibited.
- Have at least one entrance to an area where smoking is prohibited
- [Virginia Clean Air Act](#)

46. WASHINGTON

Retail Tobacco Products License Required

- \$175 fee
- [License and Requirements](#)

Smoking in Public Places (Washington Clean Air Act)

- Smoking is prohibited in all public places
- [Smoking in Public Places](#)

47. WEST VIRGINIA

Retail Tobacco Business

- Required to file a business certificate with the West Virginia Tax Department [Here](#)

WEST VIRGINIA CLEAN AIR ACT

[West Virginia Clean Air Act](#)

- Retail tobacco stores annually file affidavits stating the percentage of gross income during the prior year from the sale of tobacco and tobacco products.
- Any retail tobacco store starting after the date of this article is required to be a free-standing structure occupied solely by the business, and smoke from the business is prohibited from going into an enclosed area where smoking is prohibited.

48. SOUTH DAKOTA

Retailer Tobacco License Requirements [Here](#)

- Sales and Use Tax License
- Registered with the South Dakota Department of Revenue
- Buy tobacco products from distributors and wholesalers licensed by the State of South Dakota
- Keep documents showing tobacco products were purchased from a licensed South Dakota Distributor or Wholesaler

Cigar Bar Requirements:

- File Annual Tobacco Sales Reporting Form [Here](#)

SOUTH DAKOTA CLEAN AIR ACT

Exception

Smoking is permitted in certain establishments where alcohol is sold

Requirements [Here](#)

- Generates 10% or more gross annual income from cigar sales
- Humidor on premises
- The enclosed building is equipped with a ventilation system and smoke to circulate to nonsmoking areas.
- May only permit the smoking of cigars and premium tobacco products purchased on the premises

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- Smoking any other product is prohibited on the premises and shall be posted as being prohibited.
- Establishment meeting requirements shall report annually on a prescribed form annually to the Department of Revenue the revenue generated from the sale of cigars as a percentage of annual gross income.

49. WISCONSIN

Cigar Bar Requirement

- Bar must generate %15 sales from cigars or pipe tobacco
- It cannot come from vending machines
- Current rules only allow cigar bars that have been in existence since 2009

Obtaining a Tobacco and Liquor License in Wisconsin [Here](#)

WISCONSIN CLEAN AIR LAW [Here](#)

Exceptions

- Tobacco retailers who generate more than 75% of their revenue from the sale of tobacco, not including cigarettes
- Tobacco bars that generate 15% or more of their revenue from the sale of cigars or pipe tobacco (vending machines are not included)
- Tobacco retailers and tobacco bars must be in existence by 6/3/09; smoking cigarettes is prohibited.

50. WYOMING

Requirements to sell tobacco products [Here](#)

- Must obtain a license to sell tobacco products
- Annual fee \$10
- [Obtain License](#)

WYOMING CLEAN AIR ACT [Here](#)

There are no restrictions on the following:

- Restaurants
- Bars
- Retail Stores

CONTACT US

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