

Prepared for the Taxation Committee 21.9361.01000 July 2020

IMPACT OF TAXATION ON THE USE OF VAPOR PRODUCTS

The following table provides information on the change in the prevalence of vapor product use by minors, as reflected in survey results derived from the Youth Risk Behavior Survey (YRBS) and other statewide school surveys, during the period before and after tax was imposed on vapor products in each state that imposes a tax. The YRBS was developed by the Centers for Disease Control and Prevention in 1991 to monitor the prevalence of health risk behaviors among youth. The state-level surveys are conducted by local departments of health and education every 2 years.

State/	Tax	Date Vapor Product	Rate of Use Before	Rate of Use After
Territory	Rate	Tax First Imposed	Imposition of Tax	Imposition of Tax
California	56.93 percent of the wholesale price of electronic cigarette products	April 1, 2017	The 2015 California YRBS indicates 21.4 percent of high school students reported using vapor products at least once in the 30 days before the survey	Data not yet available ¹
Connecticut	40 cents per milliliter of nicotine- containing e-liquid contained within an electronic cigarette product that is prefilled and not intended to be refillable or 10 percent of the wholesale price of any other electronic cigarette product	October 1, 2019	The 2019 Connecticut School Health Survey indicates 27 percent of high school students reported using vapor products at least once in the 30 days before the survey	Data not yet available
Delaware	5 cents per milliliter of e-liquid that contains nicotine	January 1, 2018	The 2017 Delaware YRBS indicates 13.6 percent of high school students reported using vapor products at least once in the 30 days before the survey	Data not yet available ¹
District of Columbia	91 percent of the wholesale price of electronic cigarette products	October 1, 2015	school students reported using vapor	The 2017 District of Columbia YRBS indicates 10.9 percent of high school students reported using vapor products at least once in the 30 days before the survey
Illinois	15 percent of the wholesale price of electronic cigarette products	July 1, 2019	The 2017 Illinois YRBS indicates 13.2 percent of high school students reported using vapor products at least once in the 30 days before the survey	Data not yet available
Kansas	5 cents per milliliter of e-liquid	July 1, 2017	The 2017 Kansas YRBS indicates 10.6 percent of high school students reported using vapor products at least once in the 30 days before the survey	Data not yet available ¹

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State/ Territory	Tax Rate	Date Vapor Product Tax First Imposed	Rate of Use Before Imposition of Tax	Rate of Use After Imposition of Tax
Louisiana	5 cents per milliliter of e-liquid that contains nicotine	August 1, 2015	The 2015 Louisiana Youth Tobacco Survey indicates 9.1 percent of high school students reported using vapor products at least once in the 30 days before the survey	The 2017 Louisiana Youth Tobacco Survey indicates 12.3 percent of high school students reported using vapor products at least once in the 30 days before the survey
Maine	43 percent of the wholesale price of electronic cigarette products	January 2, 2020	The 2019 Maine Integrated Youth Health Survey indicates 28.7 percent of Maine high school students report using vapor products at least once in the 30 days before the survey	Data not yet available
Massachusetts	75 percent of the wholesale price of vaping products	June 1, 2020	The 2019 Massachusetts Youth Health Survey indicates 32 percent of high school students reported using vapor products at least once in the 30 days before the survey	Data not yet available
Minnesota	95 percent of the wholesale price of any product containing or derived from tobacco	October 22, 2012 ²	Minnesota does not administer the YRBS. Additionally, questions specific to vapor products were not listed on the YRBS before 2015.	An alternative survey administered in 2016, the Minnesota Student Survey, indicates 17.1 percent of 11 th grade students reported using vapor products at least once in the 30 days before the survey
Nevada	30 percent of the wholesale price of electronic cigarette products	January 1, 2020	The 2019 Nevada YRBS indicates 22.5 percent of high school students reported using vapor products at least once in the 30 days before the survey	Data not yet available
New Hampshire	30 cents per milliliter of nicotine-containing e-liquid contained within an electronic cigarette product that is prefilled and not intended to be refillable and 8 percent of the wholesale price of nicotine-containing open system vaping products	January 1, 2020	The 2017 New Hampshire YRBS indicates 23.8 percent of high school students reported using vapor products at least once in the 30 days before the survey	,
New Jersey	10 cents per milliliter of nicotine- containing e-liquid contained within an electronic cigarette product that is prefilled and not intended to be refillable and 10 percent of the retail sales price of any other nicotine-containing e-liquid	November 1, 2019	The 2016 New Jersey Youth Tobacco Survey indicates 9.6 percent of high school students reported using vapor products at least once in the 30 days before the survey	Data not yet available
New Mexico	50 cents per single-use, prefilled, disposable e-liquid cartridge containing 5 milliliters or less of e-liquid and 12.5 percent of the wholesale price of all other containers of e-liquid	July 1, 2019	The 2017 New Mexico YRBS indicates 24.7 percent of high school students reported using vapor products at least once in the 30 days before the survey	,

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State/	Tax	Date Vapor Product	Rate of Use Before	Rate of Use After
Territory	Rate	Tax First Imposed	Imposition of Tax	Imposition of Tax
New York	20 percent of the retail sales price of electronic cigarette products	December 1, 2019	The 2017 New York YRBS indicates 14.5 percent of high school students reported using vapor products at least once in the 30 days before the survey	,
North Carolina	5 cents per milliliter of e-liquid that contains nicotine	June 1, 2015	The 2015 North Carolina YRBS indicates 29.6 percent of high school students reported using vapor products at least once in the 30 days before the survey	The 2017 North Carolina YRBS indicates 22.1 percent of high school students reported using vapor products at least once in the 30 days before the survey
Ohio	10 cents per milliliter of e-liquid that contains nicotine	October 1, 2019	Data could not be located	Data not yet available
Pennsylvania	40 percent of the wholesale price of electronic cigarette products	October 1, 2016	The 2015 Pennsylvania YRBS indicates 24.1 percent of high school students reported using vapor products at least once in the 30 days before the survey	The 2017 Pennsylvania YRBS indicates 11.3 percent of high school students reported using vapor products at least once in the 30 days before the survey
Utah	56 percent of the wholesale price of e-liquid and prefilled electronic cigarette products	July 1, 2020	The 2017 Utah YRBS indicates 7.6 percent of high school students reported using vapor products at least once in the 30 days before the survey	Data not yet available
Vermont	92 percent of the wholesale price of electronic cigarette products	July 1, 2019	The 2017 Vermont YRBS indicates 12 percent of high school students reported using vapor products at least once in the 30 days before the survey	,
Virginia	6.6 cents per milliliter of e-liquid that contains nicotine	July 1, 2020	The 2017 Virginia YRBS indicates 11.8 percent of high school students reported using vapor products at least once in the 30 days before the survey	_
Washington	9 cents per milliliter of e-liquid in accessible containers larger than 5 milliliters and 27 cents per milliliter of e-liquid in all other containers	October 1, 2019	Washington does not participate in administering the YRBS	Washington does not participate in administering the YRBS
West Virginia	7.5 cents per milliliter of e-liquid	July 1, 2016	The 2015 West Virginia YRBS indicates 31.2 percent of high school students reported using vapor products at least once in the 30 days before the survey	The 2017 West Virginia YRBS indicates 14.3 percent of high school students reported using vapor products at least once in the 30 days before the survey
Wisconsin	5 cents per milliliter of e-liquid	October 1, 2019	The 2017 Wisconsin YRBS indicates 11.6 percent of high school students reported using vapor products at least once in the 30 days before the survey	Data not yet available

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State/	Tax	Date Vapor Product	Rate of Use Before	Rate of Use After
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Wyoming	15 percent of the wholesale price of electronic cigarette products or 7.5 percent of the retail price of electronic cigarette, payable by the customer, if the 15 percent wholesale tax was not remitted by the retailer	• •	Wyoming does not participate in administering the YRBS	Wyoming does not participate in administering the YRBS

¹Results from the 2019 YRBS will be available on the Centers for Disease Control and Prevention website in August 2020.

²On October 22, 2012, the Minnesota Department of Revenue issued *Revenue Notice 12-11*, indicating electronic cigarettes are classified under the definition of other tobacco products and are taxable.