

# Michigan Laws Related to Tobacco Use

## (By Category)

### Smokefree Indoor Air Protection

**Public Act 188 of 2009, as Amended: Michigan's Smoke-Free Indoor Air Law**  
([Public Act 188 of 2009, as Amended](#); aka *Dr. Ron Davis Smoke-Free Air Law*)  
Prohibits smoking in all public places, including restaurants and bars. There are exemptions within the law for the Detroit casinos and some tobacco specialty retail shops and cigar bars.

**Public Act 198 of 1986, as Amended: Michigan Clean Indoor Air Act**  
([Public Act 198 of 1986, as Amended](#))  
Restricts smoking to designated areas in publicly owned buildings and in certain private facilities; places stronger restrictions on childcare centers and some health care facilities.

**Smoking in Elevators**  
([Public Act 227 of 1967](#))  
Prohibits smoking in elevators.

**Smoking in Nursing Homes and Homes for the Aged**  
([Public Act 103 of 1976](#))  
Requires facilities to inquire about smoking status upon admission; prohibits staff smoking in patient rooms; requires a sign stating smoking is allowed only in designated areas; prohibits sale of tobacco on premises.

**Tobacco-Free Schools**  
([Public Act 140 of 1993](#))  
Prohibits the use of tobacco in public school buildings at all times; tobacco use is allowed on school grounds after 6:00 p.m. on class days or at any time on days when classes are not in session.

**Smoking in Group and Family Day Care Homes**  
([Public Acts 211, 217, and 219 of 1993](#))  
Prohibits smoking in licensed group day care (7-12 children) and family daycare homes (1-6 children) during hours of operation.

### Protecting Youth from Gaining Access to Tobacco

**Michigan Youth Tobacco Act**  
([Public Act 314 of 1988](#))  
Prohibits the sale or distribution of tobacco products to minors; prohibits the possession of tobacco products by minors; requires retailers to post a sign warning against the sale of tobacco to minors.

### **Restrictions on Tobacco Vending Machines**

[\*\(Public Act 271 of 1992\)\*](#)

Prohibits placement of tobacco vending machines in places and locations open to minors; exemption for restaurants with Class C liquor licenses (with restrictions) and private clubs and workplaces not open to the public (with restrictions).

### **Ban on Sale of Single Cigarettes**

[\*\(Public Act 272 of 1992\)\*](#)

Prohibits the sale of cigarettes apart from their original packaging.

### **Restrictions on Free Tobacco Samples through the Mail**

[\*\(Public Act 273 of 1992\)\*](#)

Prohibits the distribution of tobacco at no cost through the mail unless it is part of a direct mail campaign in which the individual has signed an authorization card agreeing to receive the products

## **Regulations and Taxes on Tobacco Products**

### **Tobacco Excise Taxes**

[\*\(Public Act 327 of 1993\)\*](#)

Levies a tax of 75 cents per pack on cigarettes (20 count); levies a tax of 16% of wholesale price on non-cigarette tobacco products; earmarks 6% of tobacco tax revenues for health purposes; preempts local ordinances on the sale or distribution of tobacco products.

[\*\(Public Act 503 of 2002\)\*](#)

Levies an additional 50 cents per pack on cigarettes (20 count) for a total of \$1.25; it increases the tax on other tobacco products (OTP) – excluding cigars, to 20% of the wholesale price.

[\*\(Public Act 164 of 2004\)\*](#)

Levies an additional tax of 75 cents per pack on cigarettes (20 count) for a total of \$2/pack; increases the tax on other tobacco products (OTP) — excluding cigars, to 32 percent of wholesale price.

### **Surgeon General's Warning on Smokeless Tobacco Billboards**

[\*\(Public Act 295 of 1988\)\*](#)

Requires smokeless tobacco billboards to carry the same Surgeon General warnings as required on smokeless tobacco packages.

### **Tobacco Tax Stamp**

[\*\(Public Act 187 of 1997, as amended\)\*](#)

Requires that all tobacco products distributed and sold in the state, must carry a stamp indicating that a tax has been paid. The intent is that the tax is ultimately paid by the consumer of the tobacco product.

**Digital Tobacco Tax Stamp**

[\*\(Public Act 188 of 2012\)\*](#)

Transitions the wholesalers of tobacco products from heat-applied cigarette tax stamps to digital, pressure applied, cigarette tax stamps (“Digital Stamps”).

**Tobacco Billboard Ban**

[\*\(Public Act 464 of 1998\)\*](#)

Billboards advertising any tobacco product are prohibited on all roads and highways in Michigan.

**Tobacco Products Regulation**

[\*\(Public Act 182 of 1999\)\*](#)

Prevents the introduction of cigarettes into Michigan that were intended for foreign markets or were manufactured in other countries to be sold illegally in the United States.