

What's New

As of July 1, 2023, Idaho Code section 63-2552 has capped the tax on cigars at \$.50 per cigar.

This results in the wholesale sales price (WSP) for cigars being capped at \$1.25 each. All cigars should be reported with a WSP up to \$1.25 per individual cigar.

General Information

Complete this return if you're a tobacco products distributor responsible for the tax imposed by Idaho Code section 63-2552. The return is due on the 20th day of the month immediately following the tax period.

If you're required to file a monthly report with Idaho to comply with the federal Prevent All Cigarette Trafficking (PACT) Act, you must file your PACT Act report by the 10th day of the month. Instead of filing a PACT Act report on the 10th and your tax return on the 20th, you can meet both filing requirements by filing your tax return on the 10th.

However, you must include with your return either an addendum or internal report that lists the brand of cigarettes and smokeless tobacco you're selling. You still have the option of paying any tax you owe on or before the 20th.

If you're a delivery seller, please include the name, address, and phone number of your common carrier.

File a return even when you don't owe tax.

Sign your return. Include the name of the person signing, title, date and phone number.

Schedules. If you need schedules, visit our website at tax.idaho.gov/tob.

Rounding Amounts. Round amounts to the nearest whole dollar.

Check the box if you're:

- Amending a return. See the instructions for amended returns.
- Changing your address. Strike through the old address and write in the new one.
- Cancelling your tobacco tax permit. The permit will be cancelled effective the last day of the reporting period of the return.

Amended returns. Submit an amended return using a copy of your original return. If you need a copy of the original return, contact the Idaho State Tax Commission. Complete the entire form using the corrected amounts. Don't enter the net change.

Specific Instructions

Report amounts on lines 1 through 8 at the wholesale sales price (WSP) of the tobacco products. The WSP is the established price a manufacturer or any person charges a distributor for a tobacco product without any discount or other reduction.

Cigars are capped at a WSP of \$1.25 each. All cigars should be reported with a WSP up to \$1.25 per individual cigar.

Check the box indicating whether or not you have any taxable roll-your-own tobacco reported on line 1 from nonparticipating manufacturers. If yes, complete the additional Form TB 1301-NP.

Line 1. Complete Form TB 1350A and enter the amount from line 36.

Line 2. In-state distributors: Complete Form TB 1350B and enter the amount from line 36.
Out-of-state distributors: enter zero.

Line 3. In-state distributors: Complete Form TB 1350C, Part I and enter the amount from line 13.
Out-of-state distributors: enter zero.

Line 4. Complete Form TB 1350C, Part II and enter the amount from line 13.

Line 5. Enter the total WSP of tobacco products returned to the manufacturer for credit. You must attach documentation. Include the returned goods receipt and bill of lading or Form TB 403 with your return. Form TB 403 must have prior approval from the Tax Commission.

Line 6. If you entered tax-paid purchases on line 1 of the return, deduct the amount of those tax-paid purchases on this line. Enter any other allowable deductions not taken on lines 2 through 5 at WSP. Include a detailed statement of explanation.

Line 7. Enter the total of lines 2 through 6.

Line 8. Subtract line 7 from line 1. If it's a negative amount, put the amount in [brackets].

Line 9. Tax due or refund. Multiply line 8 by 40%. If the amount reflects a refund, put the amount in [brackets].

Line 10. Adjustment from previous periods. Include the letter you received from the Tax Commission that advised you of this adjustment. If the amount is a credit, put it in [brackets]. If you paid tax on tobacco products sold on or after January 1, 2000, and later wrote off the accounts as bad debts because they were worthless, use line 10 to apply the bad debt credit to this return or, if no tax is due, to be refunded.

Line 11. Subtract line 10 from line 9. If there is no entry on line 10, enter the amount from line 9 on line 11. If the amount on line 11 is a negative amount, also enter it on line 13b.

Line 12. Penalty. You must file and pay by the due date listed on the tax return. If you file or pay late, the following penalties apply:

If you file on time but your payment is late, the penalty is 0.5% of the tax due (see line 11) for each late month.

If you file late, the penalty is 5% of the tax due (see line 11) for each late month.

If you file late and pay late, there is an additional late penalty of 0.5% of the tax due (see line 11) for each late month.

Note: No penalty is due if no tax is due. The minimum penalty amount is \$10, and the maximum penalty is 25%. Even if your payment is one day late, you still owe the entire monthly penalty. The penalty begins the first day you're late and continues until you pay the tax or file the return.

Interest. Interest accrues on late payments from the due date until paid. Rates are as follows:

01/01/2023 – 12/31/2023, 5% per year

01/01/2022 – 12/31/2022, 3% per year

01/01/2021 – 12/31/2021, 2% per year

01/01/2020 – 12/31/2020, 4% per year

Line 13a. Total due. Add lines 11 and 12. Include payment for amount due.

Line 13b. Total refund. If there is a refund on line 11, we'll mail you a check.

Forms TB 1350A, TB 1350B and TB 1350C

Cigars are capped at a WSP of \$1.25 each. All cigars should be reported with a WSP up to \$1.25 per individual cigar.

Enter the lesser of the actual WSP or \$1.25 per cigar in column A.

Report total WSP of all tobacco products (except cigars) in column B.

Form TB 1350A Purchases/Shipments into Idaho

In-state distributors: Enter the total dollar amount of all purchases of tobacco products taxed and untaxed.

Out-of-state distributors: enter the WSP of all products shipped into Idaho.

For each purchase or shipment into Idaho, you must enter: the date the tobacco product was actually received into inventory or shipped into Idaho, the invoice number, the invoice date, customer's name and address, and the WSP.

Use as many pages as you need to report all purchases/shipments into Idaho. Carry the total from the last page forward to Form 1350, line 1.

Form TB 1350B Out-Of-State Sales

Enter the total WSP of tobacco products shipped to retailers outside of Idaho.

For each sales invoice: enter the invoice date, invoice number, customer's name, city and state, and the WSP.

Use as many pages as you need to report all sales. Carry the total from the last page forward to Form 1350, line 2.

Form TB 1350C, Part I, Sales To Other Idaho Distributors

Enter the total WSP of tobacco products sold to other distributors within Idaho.

For each sales invoice: enter the invoice date, invoice number, customer's name, city and state, and the WSP.

Use as many pages as you need to report all sales. Carry the total from the last page forward to Form 1350, line 3.

Form TB 1350C, Part II, Sales To Exempt Organizations

Enter the total WSP of tobacco products sold to exempt organizations, such as federal military commissaries and Indian tribes.

Complete this form the same way you've completed previous forms.

Use as many pages as you need to report all exempt sales. Carry the total from the last page forward to Form 1350, line 4.

Payment Information

Pay electronically. You can pay electronically by accessing tax.idaho.gov/epay. Use one of these payment options:

- ACH Debit
- ACH Credit
- Credit card
- Debit card
- E-check

Note: If you pay electronically and file a paper return, note at the top of the return which option you used.

Payments \$100,000 or more. Idaho law requires you to use ACH Debit or ACH Credit.

Pay by check. Make your check or money order payable to the Idaho State Tax Commission and include the payment with your return.

Mail paper returns and payments to:

Idaho State Tax Commission
PO Box 76
Boise ID 83707-0076

Contact us:

In the Boise area: (208) 334-7660 | Toll free: (800) 972-7660

Hearing impaired (TDD) (800) 377-3529

tax.idaho.gov/contact