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## **TAX - ILLINOIS**

### **Iwan Ries & Co. v. City of Chicago**

**Supreme Court of Illinois - December 19, 2019 - N.E.3d - 2019 IL 124469 - 2019 WL 6907322**

Tobacco industry entities brought action against city for declaratory and injunctive relief, alleging city's tax on certain tobacco products was preempted by state law.

The Circuit Court granted summary judgment to industry entities. City appealed and the Appellate Court reversed. Industry entities filed petition for leave to appeal, which was granted.

The Supreme Court held that statute permitting home rule taxes on sales of cigarettes and other tobacco products, but stating that a home rule municipality that had not imposed a tax based on the number of units of cigarettes or tobacco products before specified date "shall not impose such a tax after that date," allows only those municipal taxes on cigarettes or other tobacco products enacted prior to specified date, rather than grandfathering in certain municipalities which previous imposed any of a broad category of taxes on any product containing tobacco.

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