

## ST-809 Part-Quarterly Instructions

## Instructions for Form ST-809

## New York State and Local Sales and Use Tax Return for Part-Quarterly Filers

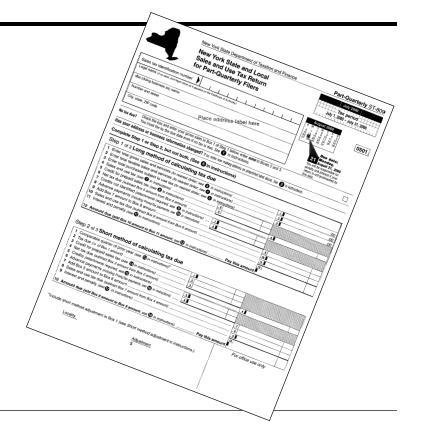
For tax period: July 1, 2000, through July 31, 2000

## Dear taxpayer,

We are proud to present a new look to Form ST-809. We have simplified it to make filing easier and less time-consuming.

The New York State Tax Department is dedicated to answering your questions. For assistance, please call our Business Tax Information Center at 1 800 972-1233, or visit our Web site address: http://www.tax.state.ny.us.

Arthur Roth Commissioner of Taxation and Finance





# Please read this section before completing your return.

#### **Filing requirements**

Importers and others registered under Article 12-A as distributors of motor fuel or diesel motor fuel must also file Form FT-945/1045, *Report of Sales Tax Prepayment on Motor Fuel/Diesel Motor Fuel*, to report the sales tax prepayments due on motor fuel or diesel motor fuel. These prepayments must not be included in the taxable receipts reported on Form ST-809 or ST-810, but distributors who have used these fuels or sold them at retail may take credits on Form ST-809 (or ST-810) for the prepaid tax already paid on the fuel used or sold (see Box 5 of Step 1 or Box 3 of Step 2 - *Credit for prepaid sales tax*).

#### **Filing methods**

Two methods are available for monthly filing: **long** and **short**. If you have filed returns for each of the four quarters

immediately preceding the month to be covered, you may use either method. Otherwise, you must use the long method.

**Long method** — You must report and pay actual state and local sales and use taxes due for the month.

**Short method** — You must report and pay an amount equal to one-third of the total state and local sales and use taxes that were due for the comparable quarter of the prior year, adjusted to reflect any new, increased or decreased local sales and use tax. Report local taxes as part of the total rather than separately.

### Preaddressed labels

Two copies of the sales and use tax return are mailed to each registered vendor. On the copy you file, place the enclosed peel-and-stick preaddressed label in the appropriate section on the front of the return. Keep the other copy of the return for your records.

If you did not receive a return with a preaddressed label, complete the identification number, name, and address boxes on the front of the return. Please be sure to include your identification number and name on any schedule you may be required to file.

## Instructions

#### Entries in these examples are fictional. Do not use these figures when completing your return.

Check the box and enter your gross sales in Box 1 of Step 1 below; enter **none** in Boxes 2 and 3. You must file by the due date even if no tax is due. See 1 in instructions. No tax due?

Has your address or business information changed? If so, enter new mailing address on preprinted label above. See (2) in instructions.

#### ij No tax due?

You must file a return even if you had no taxable sales and made no purchases subject to tax. Check the box, enter your gross sales and services in Box 1 and write none in Boxes 2 and 3. Then go to Step 3.

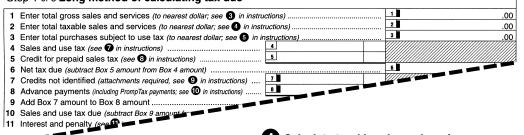
Note: You may be subject to penalty and interest if you do not file a return by the due date or do not pay in full.

#### **Change of address or business** information

If you need to update your sales tax mailing address, enter your correct address on the label we provided. If you need to change your address for other New York taxes, or change other business information such as the name, identification number, physical address, or owner/officer information, complete and send in Form DTF-95, Change of Business Information.

Obtain forms through Fax-on-Demand, Internet Access, or call one of the Telephone Asssistance numbers listed in the Need help? section on page 4.

#### Step 1 of 3 Long method of calculating tax due



## Calculate gross sales and services

Enter the total taxable, nontaxable, and exempt sales from your New York State business locations and from locations outside New York State delivered into the state in Box 1 of Step 1. Do not include sales of motor fuel or diesel motor fuel

## 4 Calculate taxable sales and services

Enter in Box 2 of Step 1 the total amount of the sales reported in Box 1 that are subject to New York State and local sales taxes. Do not include sales tax in this amount.

## 5 Calculate purchases subject to use tax

Purchases outside New York: Report in Box 3 of Step 1 the full amount of purchases made outside New York of

tangible personal property and services used in your business in New York State on which no New York State tax was paid.

Purchases in New York in one jurisdiction/use in another jurisdiction: If the tax rate is higher in the jurisdiction where you purchased the tangible personal property or services used in your business than in the jurisdiction where your business is located,

report the full amount of such purchases in Box 3 of Step 1. Do not include in Box 3 of Step 1 purchases of property or services purchased for resale or which

Contractors: Also report materials purchased in one jurisdiction that are incorporated into realty in another.

#### Do not include sales tax in this amount.

## 6 Filing methods

Two methods are available for monthly filing: long and short. If you have filed returns for each of the four quarters immediately preceding the month to be covered, you may use either method. Otherwise, you must use the long method.

If you use the long method, you must report and pay actual taxes due for the month.

If you use the short method, you must report and pay an amount equal to one-third of the total taxes that were due for the comparable quarter of the prior year. Make adjustments to reflect new, increased or decreased taxes. Report local taxes as part of the total rather than separately.

Regardless of the method used, you must maintain complete records to be able to complete guarterly return Form ST-810. Form ST-810 is where you will report sales by each locality. You may also be required to file schedules A, B, H, N, N-ATT, NJ, and CT with the quarterly return, if any apply to you.

## **7** Sales and use taxes

Enter in Box 4 of Step 1 the total of the state and local sales taxes due on taxable sales and services, including sales of motor fuel and diesel motor fuel and purchases of items and services subject to use tax minus credits that can be identified with a specific locality (other than economic development zone credits).

Substantiate credits that can be identified with a specific locality by attaching a statement explaining the basis for the credit; also attach any other supporting documents (for example, credit for tax a contractor paid on purchases of materials that were then used to perform repairs that are subject to the tax). Your substantiation

must include the taxing jurisdiction, rate of tax paid, and calculations used to determine the amount of credit.

Do not include in this box any amounts reported on Form FT-945/1045, Report of Sales Tax Prepayment on Motor Fuel/Diesel Motor Fuel.

Do not take any credit in Box 4 of Step 1 for prepaid sales tax on motor fuel or diesel motor fuel that was sold or used during the month (see Box 5 instructions).

### 8 Credit for prepaid sales tax

Enter in Box 5 of Step 1 the amount of sales tax prepaid to your suppliers on motor fuel or diesel motor fuel sold at retail or used during the month covered by this return.

Registered distributors of motor fuel or diesel motor fuel should also include in Box 5 of Step 1 amounts prepaid with Form FT-945/1045, *Report of Sales Tax Prepayment* on Motor Fuel/Diesel Motor Fuel, on motor fuel or diesel motor fuel sold at retail (whether taxable or nontaxable\*), or used during the month covered by this return.

\*Exception: Credit for prepaid sales tax on motor fuel or diesel motor fuel that you sold in bulk (that is, through a marketing location, other than a retail service station) to an exempt purchaser or delivered out of state to your customer should be reported on Form FT-945/1045.

Include in Box 5 of Step 1 the prepaid sales tax credit on cigarettes you claimed for the month.

#### 9 Credits not identified

Enter in Box 7 of Step 1 the credits claimed against the tax other than credits taken in Boxes 4 and 5 of Step 1. Do Not claim any vendor collection credit in this box.

Report economic development zone (EDZ) credits in this box and file Form AU-11, Application for Credit or Refund

of Sales or Use Tax, separately from your return. Mail Form AU-11 and all substantiation to the address shown on the form. Indicate on Form AU-11 the period of the return on which you are taking the credits.

Enter the total EDZ credits and any other credits you can substantiate but cannot identify with a specific locality. You must substantiate all credits in this box.

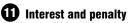


are exempt.

#### Advance payments including PrompTax payments

Enter in Box 8 of Step 1 any tax you paid in advance, including PrompTax payments.

Do not include sales tax prepayments due on motor fuel or diesel motor fuel as advance payments. Report these prepayments on Form FT-945/1045.



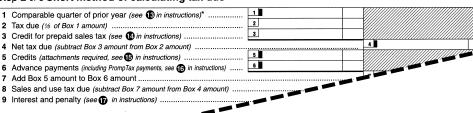
If you are filing your return late or not paying the full amount due, or both, you owe penalty and interest. Penalty and interest are calculated on the amount of tax due, from Box 10 of Step 1. The minimum penalty for late filing is \$50. Late payment and underpayment also result in interest charges; interest rates are adjusted guarterly and compounded daily.

To determine your penalty and interest amount, call 1 800 972-1233. A Tax Department representative will calculate the correct amount for you. Or you can use our Web site at http://www.tax.state.ny.us to determine your penalty and interest. Enter the total penalty and interest in Box 11 of Step 1.

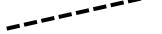
## Amount due

Enter in Box 12 the total of Box 10 and Box 11 of Step 1. This is the amount you pay with this return.

#### Step 2 of 3 Short method of calculating tax due



10 Amount due (add Box 8 amount to Box 9 amount



## Comparable quarter of prior year

Enter in Box 1 of Step 2 total taxes that were due (before deducting credits or advance payments) for the comparable quarter of the prior year. Make adjustments to reflect any new, increased, or decreased taxes. (See Short method adjustment below.)

Schedule FR filers: When entering the total taxes that were due for the comparable quarter in the prior year, include the amount reported on Line A, column (e), of the Schedule FR filed for the comparable guarter. The amount on line A is the taxes reported on motor fuel or diesel motor fuel **before** deducting the credit for prepaid sales tax on either of these fuels.



#### Credit for Prepaid Sales Tax

Enter in Box 3 of Step 2 the amount of sales tax prepaid to your suppliers on motor fuel or diesel motor fuel sold at retail or used during the month covered by this return.

Registered distributors of motor fuel or diesel motor fuel should also include in Box 3 of Step 2 amounts prepaid with Form FT-945/1045, Report of Sales Tax Prepayment on Motor Fuel/Diesel Motor Fuel, on motor fuel or diesel motor fuel sold at retail (whether taxable or nontaxable\*), or used during the month covered by this return.

\*Exception: Credit for prepaid sales tax on motor fuel or diesel motor fuel that you sold in bulk (that is, through a marketing location, other than a retail service station) to an exempt purchaser or delivered out of state to your customer should be reported on Form FT-945/1045.

Include in Box 3 of Step 2 the prepaid sales tax credit on cigarettes you claimed for the month.

### 🚯 Credits

Enter in Box 5 of Step 2 the credits claimed against the tax other than credits taken in Box 3 of Step 2. Do not claim any vendor collection credit in this box.

Report economic development zone (EDZ) credits in this box and file Form AU-11, Application for Credit or Refund of Sales or Use Tax, separately from your return. Mail Form AU-11 and all substantiation to the address shown on the form. Indicate on Form AU-11 the period of the return on which you are taking the credits.

Enter the total EDZ credits and other credits you can substantiate but cannot identify with a specific locality. You must substantiate all credits in this box.

Substantiate other credits reported in Box 5 of Step 2 by attaching a statement explaining the basis for the credit and any other supporting documents (for example, credit for tax a contractor paid on purchases of materials that were then used to perform repairs that are subject to the tax). Your substantiation must include the taxing jurisdiction, rate of tax paid, and calculations used to determine the amount of credit.

#### Short method adjustment

When a local rate has been increased or decreased, multiply the total taxable sales and purchases subject to use tax reported for that locality in the comparable quarter by the difference between the new and old rates. If a new local tax was enacted since the end of the prior comparable quarter, use current records to estimate taxable sales and purchases subject to use tax in that locality for three months and multiply this amount by the new local tax rate. Total

the adjustments for all such localities and add this amount to or subtract it from the taxes due for the comparable quarter last year. Enter this adjusted total in Box 1 of Step 2. List the names of the localities and the amount of the adjustment (show negative balances in parentheses) for each following the Step 2 box.

#### Examples:

The city "Y" increased its local tax and the county "D" decreased its local tax. If a vendor reported taxable sales for city "Y" in the prior year's comparable quarter and sales were also made in county "D" during that quarter, the adjustments would be computed as follows:

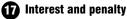
	Combined Rate	Combined Rate	Increase		Taxable		
Locality*	Current	Comparable Quarter	(Decrease)	х	Sales **	=	Adjustment*
City "Y"	7%	6%	1%		\$250,000		\$2,500
County "D"	5%	7%	(2%)		3,000		(60)
Total adjustments	to be added to compara	ble prior year's quarter					
* Enter information	on from these two colum	ns in the space following the St	ep 2 box.				

Includes purchases subject to use tax.

#### Advance payments including PrompTax 16 payments

Enter in Box 6 of Step 2 any tax you paid in advance, including PrompTax payments.

Do not include sales tax prepayments due on motor fuel or diesel motor fuel as advance payments. Report these prepayments on Form FT-945/1045.



If you are filing your return late or not paying the full amount due, or both, you owe penalty and interest. Penalty and interest are calculated on the amount of tax due, from Box 8 of Step 2. The minimum penalty for late filing is \$50. Late payment and underpayment also result in interest charges; interest rates are adjusted quarterly and compounded daily.

To determine your penalty and interest amount, call 1 800 972-1233. A Tax Department representative will calculate the correct amount for you. Or you can use our Web site at http://www.tax.state.ny.us to determine your penalty and interest. Enter the total penalty and interest in Box 9 of Step 2.

#### Amount Due

Enter in Box 10 of Step 2 the total of Box 8 and Box 9 of Step 2. This is the amount you pay with this return.

Step 3 of 3 Sign and mail this rel Make sure you keep a completed copy for your	fil.	Must be postmarked by <b>Monday, August 21, 2000,</b> to be considered filed on time. See flowchart below for complete mailing information.		
Printed name of taxpayer			Title	
Signature of taxpayer		Date	Daytime telephone (	)
Sign and mail this return	- The When	e to mail your return	Private deliver	y service address
Sign and mail this return Signatures required		e to mail your return ttachments	If you are using a	<b>y service address</b> private delivery service rather al Service, you must send

If you are filing this return for an authorized corporation. partnership, or other type of entity, an officer, employee, or partner must sign the return on behalf of the business, and print his or her name, title, and telephone number.

If you do not prepare the return yourself, sign and provide the requested taxpayer information. The preparer must also sign the return and print his or her name, address, and telephone number.

Make sure you keep a copy of your completed return for your records.

the back of Form ST-809 to determine where to send your completed return, attachments, and payment. If you are not using the U.S. Postal service, see *Private delivery service address* followina.

If you are enrolled in the PrompTax program, use the pre-addressed envelope provided.

\$1-809.

Address your return envelope to:

THE CHASE MANHATTAN BANK NYS GOVERNMENT TAX PROCESSING 12 CORPORATE WOODS BLVD. 4TH FLOOR ALBANY NY 12211-2524

## Need help?

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<b>Telephone assistance</b> is available from 4:25 p.m. (eastern time), Monday through the format is a standard through through the format is a standard through the forma	
For business tax information, call the New York State Business Tax	
Information Center:	1 800 972-1233
For general information:	1 800 225-5829
To order forms and publications:	1 800 462-8100
From areas outside the U.S. and outside Canada:	(518) 485-6800
<b>Fax-on-demand forms:</b> Forms are available 24 hours a day, 7 days a week.	1 800 748-3676

Internet access: http://www.tax.state.ny.us

Hotline for the hearing and speech impaired:

1 800 634-2110 from 8:30 a.m. to 4:25 p.m. (eastern time), Monday through Friday. If you do not own a telecommunications device for the deaf (TDD), check with independent living centers or community action programs to find out where machines are available for public use.



Persons with disabilities: In compliance with the Americans with Disabilities Act, we will ensure that our lobbies, offices, meeting rooms, and other facilities are accessible to persons with disabilities. If you have questions about special accommodations for persons with disabilities, please call 1 800 225-5829.



If you need to write, address your letter to: NYS TAX DEPARTMENT TAXPAYER ASSISTANCE BUREAU W A HARRIMAN CAMPUS ALBANY NY 12227

### Privacy notification

The right of the Commissioner of Taxation and Finance and the Department of Taxation and Finance to collect and maintain personal information, including mandatory disclosure of social security numbers in the manner required by tax regulations, instructions, and forms, is found in Articles 8, 28, and 28-A of the Tax Law; and 42 USC 405(c)(2)(C)(i).

The Tax Department uses this information primarily to determine and administer sales and use taxes or liabilities under the Tax Law, and for any other purpose authorized by law.

Failure to provide the required information may subject you to civil or criminal penalties, or both, under the Tax Law.

This information is maintained by the Director of the Registration and Data Services Bureau, NYS Tax Department, Building 8 Room 338, W A Harriman Campus, Albany NY 12227; telephone 1 800 225-5829. From areas outside the U.S. and outside Canada, call (518) 485-6800.