

## Essex County Increases Sales and Use Tax Rate Effective December 1, 2013

Beginning December 1, 2013, Essex County's local sales and use tax rate increases from 3¾% to 4%. Therefore, the combined state and local tax rate imposed in Essex County increases from 7¾% to 8%. This new tax rate applies to all taxable sales, services, deliveries, and uses in Essex County.

For exceptions, see *Special transitional exceptions* below.

### Reporting taxable sales and uses

**Main return:** Use the *Essex County 8%* entry line to report taxable sales and uses in Essex County.

**Schedule H:** Use the *Essex County 4%* entry line to report sales and uses of clothing and footwear eligible for exemption.

**Schedule FR:** Use the *Essex County 4%* entry line to report the local sales tax on retail sales and uses of qualified motor fuel and highway diesel motor fuel. New York State's cents-per-gallon rate in Essex County remains 8 cents per gallon.

### Special transitional exceptions

Taxable sales and uses made on or after December 1, 2013, are taxed at **8%**, except as described below:

#### Admissions

Report taxable admissions to an event occurring on or after December 1, 2013, at the higher rate of 8%, whether or not the admission charge was paid before that date, unless the tickets were sold and delivered before December 1, 2013, to the person attending the event.

#### Hotel occupancy

Report all taxable daily rentals occurring before December 1, 2013, at the lower rate of 7¾%. Report all taxable daily rentals occurring on or after December 1, 2013, at the higher rate of 8%. If the rental is on other than a daily basis, prorate the amount of rent between the number of days taxable at the higher rate and the number of days taxable at the lower rate.

#### Layaway sales

Report sales and uses at the lower rate of 7¾% **only** if **both** the following conditions are met:

- before August 1, 2013, a written agreement was made and the item sold was segregated from other similar property in the possession of the vendor, **and**

- before December 1, 2013, the purchaser has paid at least 10% of the sales price.

### Pre-existing lump sum or unit price construction contracts

Contractors purchasing materials in Essex County for use in construction contracts pay the rate of 7¾% on purchases made before December 1, 2013, and 8% on purchases made on or after that date. Contractors who irrevocably entered into a pre-existing lump sum or unit price construction contract before August 26, 2013 (the date on which the local legislation was adopted), may request a credit or refund of the additional ¼% local sales and use tax paid on or after December 1, 2013. This credit or refund applies only to purchases of tangible personal property used solely in the performance of the contract.

### Social and athletic club dues

Report all dues covering periods that begin before December 1, 2013, at the lower rate of 7¾%. Report all dues covering any period that begins on or after December 1, 2013, at the higher rate of 8%, regardless of the date the bill is mailed.

### Telephone answering services

Report charges for services provided before December 1, 2013, at the lower rate of 7¾%. Report charges for services provided on or after December 1, 2013, at the higher rate of 8%. For services covering a period beginning before and ending on or after December 1, 2013, prorate the charges.

### Telephone bills

Report charges for services furnished before the date of the first bill dated in December 2013 at the lower rate of 7¾%, even though the services may be furnished on or after December 1, 2013. Report charges for services furnished on or after the date of the first bill dated in December 2013 at the higher rate of 8%.

### Utility bills: nonresidential gas and electricity based on meter readings

Report the sale at the higher rate of 8% if the meter is read on or after December 1, 2013, and the number of days from December 1, 2013, to the date of the meter reading is more than half the total number of days covered by the bill. Essex County does **not** impose tax on residential energy sources and services.

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- check for new online services and features



**Text Telephone (TTY) Hotline** (for persons with hearing and speech disabilities using a TTY): If you have access to a TTY, contact us at (518) 485-5082. If you do not own a TTY, check with independent living centers or community action programs to find out where machines are available for public use.



### Telephone assistance

**Sales Tax** Information Center: (518) 485-2889

To order forms and publications: (518) 457-5431



**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, call the information center.