

## **An IDA Must Provide Notice of Appointment of Agent or Project Operator**

General Municipal Law (GML)§ 874(9) provides that each Industrial Development Agency or Authority (IDA) must notify the Department of Taxation and Finance each time the IDA appoints an agent or project operator for purposes of extending sales and use tax exemptions. This notification must be made within 30 days of the appointment on Form ST-60, *IDA Appointment of a Project Operator/Agent For Sales Tax Purposes*.

The IDA must file a separate form for each project operator or agent appointed, whether directly or indirectly. If the IDA authorizes an operator or agent to appoint other agents, the operator or agent making such an appointment must advise the IDA so that the IDA can file a form within 30 days of the new agent's appointment.

The IDA need not file Form ST-60 if there are no sales or use tax exemption benefits for a project.

Form ST-60, *IDA Appointment of a Project Operator/Agent For Sales Tax Purposes*, requires the following information:

- the name, address and telephone number of the IDA
- the name, address, telephone number, and employer identification or social security number of the project operator or other person appointed by the IDA
- the name and site address of the IDA project and the purpose of the project
- a brief description of the goods and/or services intended to be exempted from sales and use tax as a result of the IDA's appointment and an estimate of the value of these goods and/or services
- the date when the appointment became effective and the date when it is to end
- the name, title and telephone number of the officer or employee signing for the IDA
- signature of the officer or employee signing for the IDA and the date

Completed forms should be sent to: NYS TAX DEPARTMENT- IDA UNIT  
BUILDING 9, ROOM 261  
W A HARRIMAN CAMPUS  
ALBANY NY 12227

Form ST-60 should not be confused with Form ST-340. Agents/project operators must continue to file Form ST-340 annually to report sales and use tax exemptions claimed during the year.

An IDA should file Form ST-60 for each project operator or agent, whether appointed directly by the IDA, or indirectly by a project operator granted the authority to make such an appointment by the IDA.

Form ST-60 should be filed only with respect to agents and project operators appointed on or after October 19, 1997.