

Tax Bulletin Sales and Use Tax TB-ST-60 November 26, 2014

Beauty Salons, Barber Shops, and Hair Restoration Services

Introduction

This bulletin explains how the New York State and local sales and use taxes (sales tax) apply to businesses that sell beautician, barbering, and hair restoration services.

Sales of services

Beautician, barbering, and hair restoration services include:

- haircuts,
- · hair coloring,
- shampooing.
- · blow drying,
- permanents,
- hair extensions,
- · hair straightening, and
- hair restorations.

Sales of beautician, barbering, and hair restoration services are:

- exempt from state and local sales tax everywhere in New York State outside New York City, but
- subject to New York City's local sales tax when sold in New York City.

If you sell these services in New York City, you must register for sales tax purposes, collect tax, and report these sales as instructed on your sales tax returns.

Note: Hair restoration services performed in New York City by a licensed physician are not taxable.

Sales of products

Sales of products to your customers, such as:

- shampoos,
- · conditioners, and
- · hair styling products,

are sales of tangible personal property subject to sales tax throughout New York State. If you sell any tangible personal property **anywhere** in New York State, you must register for sales tax purposes, collect tax, and report these sales as instructed on your sales tax returns.

Note: Sales of all dandruff preparations, including dandruff shampoos, are not taxable. In addition, sales of products that are intended as a hair regrowth treatment (such as *Rogaine*®) for use by people who have hair loss or gradual thinning of the hair are not taxable.

Purchases of products

You may purchase products that you intend to resell to your customers without paying sales tax by giving your supplier a properly completed Form ST-120, Resale Certificate.

Any products you buy to be used in providing beautician, barbering, or hair restoration services cannot be purchased for resale, and you must pay sales tax to your supplier at the time of purchase. Additionally, any items you buy for resale that you later use in providing your services are subject to use tax. For more information, see Tax Bulletin Use Tax for Businesses (TB-ST-910).

Example: The owner of a beauty salon keeps an inventory of various shampoos, conditioners, and other hair styling products available for retail sale to her customers. Occasionally she takes some of those products for her own use in providing beautician services at the salon. The owner of the salon must pay use tax on her cost for the products used in providing services at the salon.

Purchases of equipment

All purchases of equipment for use in your business are subject to sales tax at the time of purchase. This includes purchases of:

- · scissors.
- brushes.
- combs.
- mirrors,
- hair dryers,
- · capes,
- razors, and
- barber chairs.

Booth rentals

Charges for booth rentals that give the renter the right to use certain space are considered to be charges for the rental of real property and are not subject to sales tax.

Utilities

All charges for utilities used in providing beautician, barbering, and hair restoration services are subject to sales tax.

Note: A Tax Bulletin is an informational document designed to provide general guidance in simplified language on a topic of interest to taxpayers. It is accurate as of the date issued. However, taxpayers should be aware that subsequent changes in the Tax Law or its interpretation may affect the accuracy of a Tax Bulletin. The information provided in this document does not cover every situation and is not intended to replace the law or change its meaning.

References and other useful information

Tax Law: Section 1212-A(a)(2)

Publications: Publication 750, A Guide to Sales Tax in New York State

Bulletins:

Do I Need to Register for Sales Tax? (TB-ST-175)

Drugstores and Pharmacies (TB-ST-193)
Filing Requirements for Sales and Use Tax Returns (TB-ST-275)

How to Register for New York State Sales Tax (TB-ST-360)

Miscellaneous Personal Services and Related Sales in New York City (TB-ST-575)

Quick Reference Guide for Taxable and Exempt Property and Services (TB-ST-740)

Use Tax for Businesses (TB-ST-910)