



Taxes on Selected Sales and Services in Nassau and Niagara Counties

Food and drink; hotel/motel room occupancy; admissions, club dues, and cabaret charges

File as an attachment to Form ST-101

For tax period:
March 1, 2023, through February 29, 2024

Due date:
Wednesday, March 20, 2024



Include with Form ST-101

A24

Sales tax identification number	Legal name (Print ID number and name as shown on Form ST-101 or Certificate of Authority)
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Take credits that can be identified by jurisdiction on the appropriate line (see instructions on page 2).

Column A Taxing jurisdiction	Column B Type of sale/service	Column C Jurisdiction code	Column D Taxable sales and services	Column E X Tax rate =	Column F Sales tax (D x E)
Part 1 – Nassau County					
Outside city of Long Beach	Food and drink; hotel/motel room occupancy	NA 8289	.00	8 ⁵ / ₈ %	
City of Long Beach only	Food and drink; hotel/motel room occupancy	LO 8285	.00	8 ⁵ / ₈ %	
Part 2 – Niagara County					
Outside cities of Lockport and Niagara Falls	Food and drink	NI 2945	.00	8%	
	Hotel/motel room occupancy	NI 2966	.00	8%	
	Admissions, club dues, and cabaret charges	NI 2991	.00	8%	
City of Lockport only	Food and drink	LO 9228	.00	8%	
	Hotel/motel room occupancy	LO 9229	.00	8%	
	Admissions, club dues, and cabaret charges	LO 9230	.00	8%	
City of Niagara Falls only	Food and drink	NI 9216	.00	8%	
	Hotel/motel room occupancy	NI 9215	.00	8%	
	Admissions, club dues, and cabaret charges	NI 9214	.00	8%	
Column totals (Parts 1 and 2):			.00		

▲ Include this column total on Form ST-101, page 2, Column C, in box 3.

▲ Include this column total on Form ST-101, page 2, Column F, in box 5.



Insert Form ST-101.2 inside Form ST-101



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Annual Schedule A Instructions

Taxes on Selected Sales and Services in Nassau and Niagara Counties

General information

Who must file

You must complete and file Form ST-101.2, *Annual Schedule A*, if you sell or provide any of the following taxable services in Nassau County, Niagara County, or both:

- Nassau County: food and drink; hotel or motel room occupancy
- Niagara County: food and drink; hotel or motel room occupancy; admissions, club dues, and cabaret charges

Requirement to file Form ST-101

If you must complete this schedule, you must also complete Form ST-101, *New York State and Local Annual Sales and Use Tax Return*.

In Step 3 of Form ST-101, report any taxable sales and purchases you are not reporting on this or any other schedule. For example, restaurant and hotel operators must report sales of cigarettes and candy on the appropriate jurisdiction line in Step 3 of Form ST-101.

Reporting sales in Nassau and Niagara counties

In Nassau County and Niagara County, several cities require separate reporting, as sales affect how tax revenues are distributed.

For Nassau County, you must report sales in the city of Long Beach and sales outside Long Beach separately.

For Niagara County, you must:

- report sales in the city of Lockport, sales in the city of Niagara Falls, and sales outside these cities separately; and
- itemize the sales in the city of Lockport, sales in the city of Niagara Falls, and sales outside these cities for each type of service.

There are individual lines on Form ST-101.2 for each city and the remainder of the county where you are required to report sales separately.

Examples of taxable sales and services

Taxable *food and drink* include sales by:

- restaurants or taverns of any food and drink; and
- caterers, delis, hot dog stands, and supermarkets of heated food, sandwiches, or similar restaurant-type prepared foods.

Taxable *hotel or motel room occupancy* includes charges for occupancy of a room or rooms in a hotel, motel, or similar establishment. **Exception:** If the occupant is a permanent resident of the hotel, there is no sales tax on charges for their hotel occupancy. For sales tax (other than New York City's 4½% tax), a *permanent resident* is an occupant of a room or rooms in a hotel for at least 90 consecutive days.

Taxable *admissions, club dues, and cabaret charges* include admission charges for:

- athletic contests, shows, and entertainment events;
- social and athletic club dues; and
- cabarets and clubs.

Specific instructions

Identification number and name – Print the sales tax identification number and legal name of your business, as shown on Form ST-101 or on your business's *Certificate of Authority* for sales and use tax.

Credits – If you are claiming credits for the jurisdictions on this schedule:

1. In Column D on each jurisdiction line, enter the amount of taxable sales and services in the jurisdiction **minus** the amount of any credits for that jurisdiction. If the result is a negative number, show the negative using a minus sign (-).
2. On page 1 of Form ST-101:
 - mark an **X** in the *Are you claiming any credits* box, and
 - include the credit amounts for the jurisdictions on this schedule in the box for the total amount of credits claimed.
3. Complete and submit Form ST-101-ATT, *Annual Schedule CW*, to provide information about the types of credits you claimed.
4. Complete Form AU-11, *Application for Credit or Refund of Sales or Use Tax*, and mail it to the address on its instructions with documentation to substantiate your claim.

Part 1 – Nassau County

Report sales of food and drink, and rents from hotel or motel room occupancy in Nassau County.

1. On their respective jurisdiction lines in Column D, enter these taxable sales and services minus any credits.
2. Multiply each amount by the tax rate in its jurisdiction line in Column E.
3. Enter the resulting tax for each jurisdiction on its jurisdiction line in Column F.

Part 2 – Niagara County

Report sales of food and drink; rents from hotel or motel room occupancy; and admissions charges, club dues, and cabaret charges in Niagara County.

1. On their respective jurisdiction lines in Column D, separately report the three types of taxable sales and services minus any credits.
2. Multiply each amount by the tax rate in its jurisdiction line in Column E.
3. Enter the resulting tax for each jurisdiction on its jurisdiction line in Column F.

Column totals

1. For all entries in Parts 1 and 2 (combined), calculate the totals of Columns D and F.
2. Enter these amounts in the *Column totals* (Parts 1 and 2) boxes at the bottom of the schedule.
3. On page 2 of Form ST-101, include these amounts in Columns C and F, boxes 3 and 5.

Filing this schedule

File a completed Form ST-101.2 and any other applicable schedules with Form ST-101 by the due date. Keep a copy of your completed return for your records.

Need help? and Privacy notification

See Form ST-101-I, *Instructions for Form ST-101*.

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