



Department of Taxation and Finance

Important

The Alcoholic Beverages Tax information in this document is outdated and provided only for historical purposes.

For up-to-date information, see [Alcoholic beverages tax](#).

This TSB-M begins on page 2 below.

New York State Department of Taxation and Finance
Taxpayer Services Division
Technical Services Bureau

TSB-M-90 (4) M
Alcoholic Beverage Tax

Subject: 1990 Alcoholic Beverage Tax rate increase and floor tax due

Chapter 190 of the Laws of 1990 amended the Alcoholic Beverage Tax Law (Article 18), effective June 1, 1990, to increase the excise tax imposed on liquors and beer sold or used within this state.

<u>Alcoholic Beverage</u>	<u>Rate starting June 1, 1990</u>	<u>Amount of increase</u>
Liquor, over 24% alcohol by volume (includes wine over 24%)	\$1.70 per liter	\$.30 per liter
Liquor, 24% or less alcohol but more than 2% alcohol by volume	\$.67 per liter	\$.12 per liter
Beer and similar fermented beverages	\$.21 per gallon	\$.10 per gallon

Beginning June 1, 1990 all registered distributors of alcoholic beverages should include the increased taxes in their selling price.

The law also imposed a floor tax, effective June 1, 1990, in the amount of the increases on all liquors over 2% alcohol by volume in the possession of wholesalers, jobbers, retailers and all other sellers of liquor not registered as distributors with the Department of Taxation and Finance. The law, however, also permits that the inventory necessary to account for the floor tax be taken as of the close of business on June 4, 1990. In addition, any liquor distributor who filed an alcoholic beverage tax return on the purchase basis must also file a floor tax return based on inventory as of the close of business on June 1, 1990.

The law did not impose a floor tax on beer and similar fermented beverages as part of this rate increase. Therefore, persons not registered as distributors are not required to take an inventory as of June 4, 1990 and are not required to file a floor tax return with respect to beer and similar fermented beverages.

An exemption of 800 liters for all liquors over 2% alcohol by volume was granted to all persons filing floor tax returns. A floor tax return must have been filed and the tax paid on the amount of liquor subject to tax in their possession as of the close of business on June 1, 1990.

A return must have been filed even if there was no tax due. Failure to have filed a floor tax return and pay any tax due by July 20, 1990 will result in the imposition of statutory penalties and interest as provided in section 433 of Article 18 of the Tax Law and may result in criminal penalties as provided by section 1813 of Article 37 of the Tax Law.