

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

TSB-M-91 (11) S
Sales Tax
February 22, 1991

Ulster County Imposes Sales and Use Tax
on Residential Energy Sources and Services
Effective March 1, 1991

Effective March 1, 1991, Ulster County will impose a 3% local sales and use tax on receipts from the sale, other than for resale, of energy sources and services used for residential purposes.*

The term "residential purposes" means the use of the energy source or service in a structure or part of a structure used as a place of abode maintained by or for a person, whether or not owned by such person, on other than a temporary or transient basis, with the exclusion of accommodations subject to tax under subdivision (e) of section 1105 of the Tax Law (i.e., hotel and motel rooms).

Residential energy sources and services are:

- fuel oil (but not diesel motor fuel);
- coal;
- wood used for heating purposes;
- propane when sold in containers of 100 pounds or more; natural gas; electricity and steam; and gas, electric and steam services.

On and after March 1, 1991, sales of energy sources and services for residential use are subject to the local tax rate of 3% in Ulster County but remain exempt from the 4 % state sales tax.

Sales and use tax on residential energy sources and services must be reported on Schedule B, Part III. A reporting line will be added to report those sales of residential energy sources and services made in Ulster County on and after March 1, 1991. The Location Code for the new Ulster County entry line is 5106.

* See TSB-M-78 (7) S for information on residential energy sources and services.

Transitional Provisions

Unless based on meter readings, all sales of residential energy sources and services are subject to sales and use tax at the rate in effect at the time of delivery, whether or not such sales were contracted before any change in the sales and use tax rate.

If the meter is read before March 1, 1991, the rate is 0%. When a meter is read on or after March 1, 1991, and more than half the number of days included in the period covered by the bill fall on or after March 1, 1991, all such charges will be subject to the 3% local tax and are to be reported on Schedule B, Part III, on the Ulster County line.