



Notice Regarding Indian Tax-Exempt Cigarette Annual Amounts

The Tax Department has determined the annual amount of stamped tax-exempt packs of cigarettes for each of the Indian nations or tribes for the 12-month period beginning September 1, 2016, and ending August 31, 2017. The annual amount is based on the probable demand for tax-exempt cigarettes, determined by reference to, among other data, the United States average cigarette consumption per capita, as compiled for 2015, multiplied by the number of qualified Indians for each of the Indian nations or tribes. (Indian nation population figures are based on the most current tables published by the United States Census Bureau.) The annual amount is then prorated to each of the four quarters beginning with the first day of September, December, March, and June, and rounded up to the nearest case of cigarettes. (For more details, see 20 NYCRR, section 74.6.)

The recognized governing body of an Indian nation or tribe may submit evidence relating to probable demand (for example, a verifiable record of previous sales to qualified Indians or other statistical evidence) and/or relating to the amount needed for the nation's or tribe's official use. Any evidence that is submitted in accordance with the regulations will be considered, and any adjustments will be made prior to the 12-month period beginning September 1, 2016. All evidence must be submitted in writing and mailed to:

NYS TAX DEPARTMENT
OFFICE OF TAX POLICY ANALYSIS
W A HARRIMAN CAMPUS
ALBANY NY 12227-0917

Indian tax-exempt cigarettes for quarters occurring September 1, 2016 – August 31, 2017

Table with 3 columns: Indian nation or tribe, NYS population (2000 census), Quarterly cigarette amount (packs). Rows include Cayuga Nation, Oneida Nation of New York, Onondaga Nation, Poospatuck or Unkechaugue Nation, Seneca Nation of Indians, Shinnecock Indian Nation, Saint Regis Mohawk Tribe, Tonawanda Band of Seneca, and Tuscarora Nation.

*As a result of the Settlement Agreement by the Oneida Nation, the State of New York, the County of Madison, and the County of Oneida, probable demand amounts do not apply to the Oneida Nation of New York.

Note: An N-Notice is generally issued to announce a singular event, such as an update to a previously issued tax form or instruction, or to announce a new due date for filing returns and making payments of tax because of a natural disaster. The department does not revise previously issued N-Notices.