



Government Employee Occupancy of Hotel Rooms - Exemption Form ST-129

Introduction

Employees of New York State or the federal government on official business may rent hotel or motel rooms in New York State exempt from sales tax using [Form ST-129, Exemption Certificate - Tax on Occupancy of Hotel or Motel Rooms](#). The exemption includes the \$1.50 hotel unit fee in New York City but does not include locally imposed and administered hotel occupancy taxes, also known as bed taxes.

New York State governmental entities include any state agencies, instrumentalities, public corporations, or political subdivisions. Examples include:

- New York State Department of Taxation and Finance;
- New York State Department of Education;
- Empire State Development Corporation;
- New York State Canal Corporation;
- industrial development agencies and authorities; and
- counties, cities, towns, villages, and school districts.

The United States of America and its agencies and instrumentalities are also exempt. Examples include:

- United States Department of State, and
- Internal Revenue Service.

Other states of the United States and their agencies and political subdivisions **do not qualify** for sales tax exemption. Examples include:

- the city of Boston, and
- the state of Vermont.

How to use Form ST-129

Government employees must complete and sign [Form ST-129](#) and give it to the operator of the hotel or motel no later than 90 days after the last day they rented the room when paying with:

- cash;
- a personal check; or
- a personal credit card or debit card.

Employees staying at more than one location while on official business must complete a certificate for each establishment. If a group of employees is travelling on official business, each employee must complete a separate certificate.

Government employees paying with a government voucher or a government credit card do not need to use [Form ST-129](#). However, government employees must show the operator appropriate and satisfactory identification whether or not they are using [Form ST-129](#).

Penalties

Misuse of this exemption certificate may subject you to serious civil and criminal sanctions in addition to the payment of any tax and interest due. These include:

- a penalty equal to 100% of the tax due;
- a \$50 penalty for each fraudulent exemption certificate issued; and
- criminal felony prosecution, punishable by a substantial fine and a possible jail sentence.

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: Sections 1105(e); 1116(a)(1), (2); and 1145(a)(5)

Regulations: Section 527.9

Publications: [Publication 848](#), *A Guide to Sales Tax for Hotel and Motel Operators*

Bulletins:

[Exemption Certificates for Sales Tax \(TB-ST-240\)](#)

[Hotel and Motel Occupancy \(TB-ST-331\)](#)

[Recordkeeping Requirements for Sales Tax Vendors \(TB-ST-770\)](#)

[Sales and Use Tax Penalties \(TB-ST-805\)](#)