



Individual Purchaser's Annual Report of Sales and Use Tax

ST-140

You may use this form if you are an individual, estate or trust that owes sales or use tax for calendar year 2008. You must use this form if you have already filed your New York State personal income tax return for 2008 and you need to report sales or use tax that was not reported on your personal income tax return. **Do not use** this form if you are required to register for sales tax purposes with the New York State Tax Department or if you are reporting the purchase of a motor vehicle, trailer, all-terrain vehicle, vessel, or snowmobile that must be registered or titled by the New York State Department of Motor Vehicles (see instructions, Form ST-140-I, for assistance).

Type or print clearly				For office use only	
Purchaser's name		Social security number		Location code _____	
Purchaser's address (number and street or rural route)		Federal identification number (if any)		Tax jurisdiction code _____	
City	County	State	ZIP code	Taxable sales _____	
				Sales and use tax _____	

Complete the *Computation of total sales or use tax due* section below. Form ST-140 offers individuals two ways to compute their sales and use taxes for nonbusiness-related purchases of individual items or services costing less than \$1,000 each, excluding shipping and handling. For these purchases, individuals may elect to use Worksheet 1 on page 2 or the *Sales and use tax chart* below to determine the tax due. The *Sales and use tax chart* is a simple, time-saving method to compute your sales or use tax on individual items or services costing less than \$1,000 each. See *Example* below. You must compute your tax due on nonbusiness-related items costing \$1,000 or more, and for any business-related purchases, using Worksheets 2 and 3 on page 3.

Computation of total sales or use tax due

- 1 Tax due on nonbusiness-related items or services costing less than \$1,000 each, excluding shipping and handling (Enter your tax due on all nonbusiness-related purchases where the price of each item or service was under \$1,000. You may enter the amount from line 3 of Worksheet 1, on page 2 or you may elect to determine the amount by using the Sales and use tax chart below.)
- 2 Tax due on nonbusiness-related items or services costing \$1,000 or more each (from line 1 of Worksheet 2 on page 3)
- 3 Tax due on Schedule C, Schedule C-EZ, or Schedule F business-related purchases, or Schedule E (Part I), royalty or rental real estate related purchases (from line 3 of Worksheet 3 on page 3)
- 4 Total sales or use tax due (add lines 1, 2, and 3)
- 5 Penalty and interest if you are filing or paying late (see instructions)
- 6 Total amount due (add lines 4 and 5). Attach check or money order payable to: **New York State Sales Tax**

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Sales and use tax chart (for line 1 computation only)

If your federal adjusted gross income for 2008 is:	Tax amount
up to \$15,000*	\$6
\$15,001 - \$30,000	\$16
\$30,001 - \$50,000	\$22
\$50,001 - \$75,000	\$29
\$75,001 - \$100,000	\$42
\$100,001 - \$150,000	\$59
\$150,001 - \$200,000	\$75
\$200,001 and greater	.0377% (.000377) of income, or \$200, whichever amount is smaller

* This may be any amount up to \$15,000, including 0 or a negative amount.

The following rule is for a **full-year** New York State income tax resident who did not maintain a permanent place of abode for sales tax purposes during the entire tax year.

If you maintained a permanent place of abode in New York State for sales and use tax purposes for only part of the year, multiply the tax amount from the chart (determined based on your total federal adjusted gross income for 2008) by the number of months you maintained the permanent place of abode in New York State and divide the result by 12. Enter that amount on line 1. In determining the number of months you maintained the abode in New York, count any period you maintained the abode for more than one-half month as a full month; do not count a period of one-half month or less.

Example (continued)

Your federal adjusted gross income for the year is \$53,400. You determine the amount of tax due as follows:

For line 1 of the Computation of total sales or use tax due, you elect to use the Sales and use tax chart and select the amount based on your federal AGI of \$53,400. Enter this amount on line 1 of the Computation of total sales or use tax due \$29.00

For line 2 of the Computation of total sales or use tax due, you use Worksheet 2 to calculate your tax liability on the computer purchase. \$1,500 x 8% (state and local combined rate in Monroe County from Form ST-140-I, Instructions for Form ST-140, Chart 1). Enter this amount on line 2 of the Computation of total sales or use tax due 120.00

Total tax \$149.00

Example: You live in Monroe County in New York State.

Over the course of the year, you purchased several items for less than \$1,000 each (excluding shipping and handling) over the

Internet and by catalog. You know that you did not pay any tax on the items purchased. You may elect to use the Sales and use tax chart to determine the tax due on these purchases.

Also, on August 15, 2008, you received a computer that you ordered from a retailer located in Michigan for \$1,500 including the retailer's \$100 charge for shipping and handling. The Michigan retailer did not collect any New York or Michigan sales or use tax.

For office use only

Worksheet 1 — Exact calculation of tax due for nonbusiness-related purchases during 2008 costing less than \$1,000 each

Use this worksheet for nonbusiness-related purchases where the item or service cost less than \$1,000 each, excluding shipping and handling. However, the shipping and handling charges must be included in column A of Part 1 and Part 2 when computing your tax due. Therefore, the total purchase price may exceed \$110 in column A of Part 1 and \$1,000 in column A of Part 2 when the shipping and handling charges are included.

Part 1 — Purchases of clothing and footwear costing less than \$110, excluding shipping and handling

Clothing and footwear purchases under \$110 per item, excluding shipping and handling, are exempt from the **state** portion of the tax and also from some local taxes. However, if the locality where you reside chose not to provide the clothing and footwear exemption, the **local** portion of the tax still applied. Chart 2 in the instructions lists the appropriate rate of local tax for you to enter for your locality in column B below. If your locality provided the clothing and footwear exemption, its rate will be listed as 0. In this case, do not complete Part 1.

List all clothing and footwear purchases under \$110 per item, excluding shipping and handling, made during 2008 if your locality imposed tax. (See Chart 2 in the instructions.)

For fully taxable clothing and footwear purchases and for purchases of all other taxable items and services costing less than \$1,000 per item or service, excluding shipping and handling, you must also complete Part 2 below.

A Purchase price <i>(see instructions)</i>	B Your local rate <i>(from Chart 2; see instructions)</i>	C Tax <i>(multiply column A by column B)</i>	D Tax paid to another taxing jurisdiction, if any <i>(see instructions)</i>	E Tax due <i>(subtract column D from column C; do not enter less than zero)</i>
1 Total (add the Part 1, column E amounts; do not enter less than zero)				1.

Part 2 — All other taxable items and services

List all other taxable items and services and taxable clothing and footwear not included in Part 1 on which no New York State or local tax was collected from you at the time of purchase, or on which you owe additional local tax *(see instructions)*.

Note: Any unpaid sales or use tax on a motor vehicle, trailer, all-terrain vehicle, vessel, or snowmobile that must be registered or titled by the New York State Department of Motor Vehicles is collected at the time of registration. Therefore, do not report or pay the sales or use tax on these items on this form.

A Purchase price <i>(see instructions)</i>	B Combined state and local rate <i>(from Chart 1; see instructions)</i>	C Tax <i>(multiply column A by column B)</i>	D Tax paid to another taxing jurisdiction, if any <i>(see instructions)</i>	E Tax due <i>(subtract column D from column C; do not enter less than zero)</i>
2 Total (add the Part 2, column E amounts; do not enter less than zero)				2.
3 Add lines 1 and 2; transfer this amount to the Computation of total sales or use tax due section, line 1 on page 1 of this form.....				3.

(continued)

Worksheet 2 — Nonbusiness-related purchases during 2008 costing \$1,000 or more each

Use this worksheet for nonbusiness-related purchases where the item or service cost \$1,000 or more each, excluding shipping and handling. If any item or service cost \$25,000 or more each, excluding shipping and handling, you must also complete Form IT-135, *Sales and Use Tax Report for Purchases of Items and Services Costing \$25,000 or More*, and attach it to this form.

Note: Any unpaid sales or use tax on a motor vehicle, trailer, all-terrain vehicle, vessel or snowmobile that must be registered or titled by the New York State Department of Motor Vehicles is collected at the time of registration. Therefore, do not report or pay the sales or use tax on these items on this form.

A Purchase price <i>(see instructions)</i>	B Combined state and local rate <i>(from Chart 1; see instructions)</i>	C Tax <i>(multiply column A by column B)</i>	D Tax paid to another taxing jurisdiction, if any <i>(see instructions)</i>	E Tax due <i>(subtract column D from column C; do not enter less than zero)</i>

1 Total *(transfer this amount to the Computation of total sales or use tax due section, line 2 on page 1 of this form)*

1.

Worksheet 3 — Schedule C, C-EZ, and Schedule F taxable business purchases or Schedule E (Part I) taxable royalty or rental real estate activity-related purchases during 2008

Part 1 — Purchases of clothing and footwear costing less than \$110, excluding shipping and handling

Clothing and footwear purchases under \$110 per item, excluding shipping and handling, are exempt from the **state** portion of the tax and also from some local taxes. However, if the locality where you reside chose not to provide the clothing and footwear exemption, the **local** portion of the tax still applied. Chart 2 in the instructions lists the appropriate rate of local tax for you to enter for your locality in column B below. If your locality provided the clothing and footwear exemption, its rate will be listed as **0**. In this case, do not complete Part 1.

List all clothing and footwear purchases under \$110 per item, excluding shipping and handling, made during 2008 if your locality imposed tax. (See Chart 2 in the instructions.) However, the shipping and handling charges must be included in column A when computing your tax due.

A Purchase price <i>(see instructions)</i>	B Your local rate <i>(from Chart 2; see instructions)</i>	C Tax <i>(multiply column A by column B)</i>	D Tax paid to another taxing jurisdiction, if any <i>(see instructions)</i>	E Tax due <i>(subtract column D from column C; do not enter less than zero)</i>

1 Total *(add the Part 1, column E amounts; do not enter less than zero)*

1.

Part 2 — All other taxable items and services

List all other taxable items and services and taxable clothing and footwear not included in Part 1 on which no New York State or local tax was collected from you at the time of purchase, or on which you owe additional local tax *(see instructions)*. Shipping and handling charges must be included in column A when computing your tax due. Attach additional sheets if necessary. If any item or service purchased cost \$25,000 or more each, excluding shipping and handling, you must also complete Form IT-135, *Sales and Use Tax Report for Purchases of Items and Services Costing \$25,000 or More*, and attach it to this form.

Note: Any unpaid sales or use tax on a motor vehicle, trailer, all-terrain vehicle, vessel, or snowmobile that must be registered or titled by the New York State Department of Motor Vehicles is collected at the time of registration. Therefore, do not report or pay the sales or use tax on these items on this form.

A Purchase price <i>(see instructions)</i>	B Combined state and local rate <i>(from Chart 1; see instructions)</i>	C Tax <i>(multiply column A by column B)</i>	D Tax paid to another taxing jurisdiction, if any <i>(see instructions)</i>	E Tax due <i>(subtract column D from column C; do not enter less than zero)</i>

2 Total *(add the Part 2, column E amounts; do not enter less than zero)*

2.

3 Add lines 1 and 2; transfer this amount to the *Computation of total sales or use tax due* section, line 3 on page 1 of this form.....

3.

(continued)

I certify that the above statements are true and correct. I make these statements with the knowledge that knowingly making a false or fraudulent statement on this document is a misdemeanor under section 1817 of the Tax Law and section 210.45 of the Penal Law, punishable by imprisonment for up to a year and a fine of up to \$10,000 for an individual or \$20,000 for a corporation. I understand that the Tax Department is authorized to investigate the accuracy of any information entered on this form.

Purchaser's signature	Date	Telephone number for purchaser ()
Printed name of preparer (if other than purchaser)		
Preparer's address		
Preparer's signature (if other than purchaser)	Preparer's telephone number ()	

Mail this return and remittance to:

**NYS TAX DEPARTMENT
SALES TAX DESK AUDIT — CASUAL SALES UNIT
WA HARRIMAN CAMPUS
ALBANY NY 12227**

Private delivery services

If you choose, you may use a private delivery service, instead of the U.S. Postal Service, to mail in your return and tax payment. However, if, at a later date, you need to establish the date you filed your return or paid your tax, you cannot use the date recorded by a private delivery service **unless** you used a delivery service that has been designated by the U.S. Secretary of the Treasury or the Commissioner of Taxation and Finance. (Currently designated delivery services are listed in Publication 55, *Designated Private Delivery Services*. See *Need help?* on page 2 of Form ST-140-I, for information on obtaining forms and publications.) If you have used a designated private delivery service and need to establish the date you filed your return, contact that private delivery service for instructions on how to obtain written proof of the date your return was given to the delivery service for delivery.