New York sales-tax guide

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State: New York
Agency: New York State Department of Taxation and Finance (DTF)
Reviewed: 2026-08-31

Rates: New York uses destination sourcing. The state base is 4%; add the 0.375% MCTD surcharge where applicable and the 4.5% NYC overlay for deliveries into the five boroughs. That NYC example is 8.875% total. Local county rates vary, so most upstate ship-to addresses fall in a variable 4% to 8.125% range. Look up the buyer address, not the seller address.

Nexus and registration: economic nexus requires both more than $500,000 of New York sales and more than 100 transactions across the preceding four sales-tax quarters. Marketplace-channel and resale sales stay in the nexus ledger. Once direct-channel duties apply, register with Form DTF-17 and obtain a Certificate of Authority.

Taxability and marketplaces: taxable tangible personal property and taxable products follow the destination rate. New York treats prewritten software and related SaaS, IaaS, and PaaS access under TB-ST-275 and TB-ST-725 as taxable software or tangible personal property on these facts; custom software built to a customer specification is the separate service line. Marketplace facilitators collect on marketplace-channel sales into New York under the post-2019 rule, but direct website, invoice, and point-of-sale sales still require the seller to track nexus, register when required, collect, and file.

Filing: quarterly Form ST-100 is the default. Example due dates are April 20, July 20, October 20, and January 20 for the prior quarter. The DTF can promote an account to monthly ST-810 based on prior-year liability, while very low-volume accounts may receive annual ST-101 treatment. If the 20th falls on a Saturday, Sunday, or legal holiday, the due date moves to the next business day.

Penalties and interest: the 2026 ST-100 instructions charge $50 for a late no-tax-due return. When tax is due and the return is 1 to 60 days late, the penalty is 10% of tax due for the first month plus 1% for each additional month, never less than $50. At 61 or more days late, use the greater of that formula capped at 30% or the lesser of $100 or 100% of tax due, but not less than $50. Late payment with a timely return uses 10% for the first month plus 1% for each additional month, capped at 30%. Interest accrues from the due date through payment, compounds daily, and is adjusted quarterly.

Operator checks: keep Form ST-120 resale certificates on file at the point of sale, preserve the DTF exemption framing for restaurants, agencies, and retailers, and use the DTF refund process for over-collected tax; the guide brief uses an approximately 36-month refund window.

Official DTF sources: Rates: https://www.tax.ny.gov/bus/st/rates.htm | General sales tax guidance: https://www.tax.ny.gov/bus/st/default.htm | Economic nexus: https://www.tax.ny.gov/bus/st/economicnexus.htm | Filing and due dates: https://www.tax.ny.gov/pdf/advisory_opinions/sales/a15_4s.pdf | TB-ST-275: https://www.tax.ny.gov/pdf/advisory_opinions/sales/tb-st-275.pdf | TB-ST-725: https://www.tax.ny.gov/pdf/advisory_opinions/sales/tb-st-725.pdf | DTF-17: https://www.tax.ny.gov/pdf/current-forms/st/dtf17.pdf | ST-120: https://www.tax.ny.gov/pdf/current-forms/st/st120.pdf | Refunds: https://www.tax.ny.gov/pdf/advisory_opinions/sales/tb-st-103.pdf | ST-100 penalties and interest: https://www.tax.ny.gov/forms/html-instructions/2026/st/st100i-426.htm

Reference only. New York rates, nexus rules, filing assignments, penalties, interest, refund windows, and source URLs can change. Confirm current DTF requirements before collecting or filing.