



Announcement Regarding the Abatement of Penalties and Interest for Sales and Use Tax Due to the Novel Coronavirus, COVID-19

On March 7, 2020, Governor Andrew M. Cuomo declared a State Disaster Emergency for all of New York State due to the impact of the novel coronavirus, COVID-19 (virus) outbreak.

The Governor has recently issued Executive Order 202.83 expanding the Tax Commissioner's authority to abate late filing and payment penalties to also allow the Commissioner to abate interest on quarterly and part-quarterly (monthly) sales and use tax filings and remittances with a due date of December 21, 2020.

The relief outlined in this Notice is available to sales tax vendors that:

- 1) are principally engaged in business in New York City as a restaurant or other food service establishment that had to suspend indoor dining due to the Governor's Executive Order 202.81; or
- 2) are principally engaged in business as a restaurant or other food service establishment that had to suspend indoor dining due to the Governor's Executive Order 202.68 because it is located in an area that was a designated "orange zone" on December 18, 2020.

This relief is not available to any retailer or grocery store that operates a restaurant or other food service establishment within its store. This relief also is not available to any vendor who is a participant in the sales and use tax PromptTax program.

Returns must be filed and the amount due must be paid by March 22, 2021, for this relief to apply.

How to obtain relief

Taxpayers seeking interest and penalty abatements for COVID-related filing and payment delays may request relief by visiting the Department's website at www.tax.ny.gov. From the Department homepage, taxpayers can click on [Tax Department response to novel coronavirus \(COVID-19\)](#) to find instructions on how to apply for relief.

Alternatively, taxpayers that receive a penalty notice from the Tax Department for failure to file returns or make payments due December 21, 2020, should follow the instructions on the notice to request abatement of interest and late filing or late payment penalties that would otherwise apply.

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.