



# Exemption Certificate

## For the Purchase of a Racehorse

State and Local Sales and Use Tax

**To be completed by the purchaser and given to the seller.** You must complete a separate Form ST-126 for each racehorse purchased.

**Note:** A horse that is considered to be at least four years old that has never raced in an event on which pari-mutuel wagering is authorized by law is **not eligible** for this exemption.

Name of seller	Name of purchaser
Street address	Street address
City, village, or post office                      State              ZIP code	City, village, or post office                      State              ZIP code

Horse's name	Type of horse (thoroughbred or standardbred)	Date of foaling
Sire's name	Dam's name	

Mark an **X** in the appropriate box, and complete as applicable.

**A** This horse is registered with the:

- Jockey Club (enter registration number) \_\_\_\_\_
- United States Trotting Association (enter registration number) \_\_\_\_\_
- National Steeplechase and Hunt Association (enter registration number) \_\_\_\_\_

or

**B**  This horse is no more than 24 months old and is eligible to be registered with one of the associations listed under **A**.

### Certification

I certify that I am purchasing the horse described above with the intent of entering this horse in a racing event in which pari-mutuel wagering is authorized by law. 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 Tax Law section 1817, and Penal Law section 210.45, 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 validity of the exemption claimed for the accuracy of any information entered on this form.

Purchaser's name and title (owner, partner, or other representative)	Signature of purchaser	Date
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## Instructions

### Who should use this form

If you are purchasing a racehorse, the purchase may be exempt from sales and use taxes provided the racehorse is either a thoroughbred or standardbred and otherwise meets the qualifications on the front of this form.

The exemption is provided for in Tax Law section 1115(a)(29). For more information, see TSB-M-95(6)S, *Sales Tax Exemption for Purchases of Racehorses*.

### To the purchaser

Complete this certificate and give it to the seller. A separate Form ST-126 is required for each racehorse purchased. The racehorse being purchased must meet the requirements on the front of this form and must be purchased with the intent that it will be entered in an event on which pari-mutuel wagering is authorized by law.

A horse that is considered to be at least four years old that has never raced in an event on which pari-mutuel wagering is authorized by law is **not eligible** for this exemption.

### To the seller

This transaction is exempt from sales tax as long as the purchaser gives you a properly completed exemption certificate no later than 90 days after the transfer of the horse. After this 90-day period, both you and the purchaser assume the burden of proving the sale was exempt.

If you accept an improperly completed exemption certificate, you become personally liable for any sales and use tax (plus any penalty and interest charges) that may be due, unless the certificate is corrected within a reasonable period of time.

**Keep this exemption certificate** for at least three years after the due date or filing date (whichever is later) of the last tax return that it relates to. For each exempt sale that you make to a particular customer, you must be able to produce the corresponding exemption certificate. Also, you must retain documentary proof of the horse's age for three years.

### Penalties for misuse of this certificate

Any person who issues a false or fraudulent exemption certificate may be liable for penalties and interest, in addition to the tax initially due. Penalties may include:

- 100% of the tax due;
- a \$50 fine for each fraudulent exemption certificate issued;
- a misdemeanor penalty, consisting of fines not to exceed \$10,000 for an individual, or \$20,000 for a corporation; and
- revocation of your *Certificate of Authority*, if you are required to be registered for sales tax purposes.

### Need help?



**Internet access:** [www.nystax.gov](http://www.nystax.gov)  
(for information, forms, and publications)



**Fax-on-demand forms:** Forms are available 24 hours a day, 7 days a week. 1 800 748-3676



**Telephone assistance** is available from 8:00 A.M. to 5:00 P.M. (eastern time), Monday through Friday.  
To order forms and publications: 1 800 462-8100  
**Sales Tax Information Center:** 1 800 698-2909  
From areas outside the U.S. and outside Canada: (518) 485-6800



**Text Telephone (TTY) Hotline** (for persons with hearing and speech disabilities using a TTY): If you have access to a TTY, contact us at 1 800 634-2110. If you do not own a TTY, check with independent living centers or community action programs to find out where machines are available for public use.



**Persons with disabilities:** In compliance with the Americans with Disabilities Act, we will ensure that our lobbies, offices, meeting rooms, and other facilities are accessible to persons with disabilities. If you have questions about special accommodations for persons with disabilities, please call 1 800 972-1233.

### Privacy notification

The Commissioner of Taxation and Finance may collect and maintain personal information pursuant to the New York State Tax Law, including but not limited to, sections 5-a, 171, 171-a, 287, 308, 429, 475, 505, 697, 1096, 1142, and 1415 of that Law; and may require disclosure of social security numbers pursuant to 42 USC 405(c)(2)(C)(i).

This information will be used to determine and administer tax liabilities and, when authorized by law, for certain tax offset and exchange of tax information programs as well as for any other lawful purpose.

Information concerning quarterly wages paid to employees is provided to certain state agencies for purposes of fraud prevention, support enforcement, evaluation of the effectiveness of certain employment and training programs and other purposes authorized by law.

Failure to provide the required information may subject you to civil or criminal penalties, or both, under the Tax Law.

This information is maintained by the Director of Records Management and Data Entry, NYS Tax Department, W A Harriman Campus, Albany NY 12227; telephone 1 800 225-5829. From areas outside the United States and outside Canada, call (518) 485-6800.