

State Tax Observations

Federal Tax Relief for Upstate New York and Suffolk County

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IR-2023-58, recently released by the Internal Revenue Service (IRS), provides certain individuals, households and businesses affected by the severe winter storms with an extension of time, if needed, to file and pay their federal tax returns as follows:

- The extension of time is granted to May 15, 2023.
- The applicable counties are Erie, Genesee, Niagara, St. Lawrence and Suffolk.
- No penalty will be incurred with respect to any filing and payment deadlines that fall on or after December 23, 2022 through May 14, 2023.

Applicable Federal Returns

The federal tax relief applies to:

- Individual, estate and trust income tax returns originally due April 18, 2023 (also, eligible taxpayers will have until May 15, 2023 to make 2022 contributions to their IRAs and health savings accounts);
- Business returns (including those for partnerships, S corporations and C corporations) originally due March 15, 2023 and April 18, 2023 will have to May 15, 2023;
- Fourth quarter 2022 estimated tax payments, originally due on January 17, 2023, can be included with the 2022 return if filed on or before May 15, 2023;
- First quarter 2023 estimated tax payments originally due on April 18, 2023 will be due May 15, 2023;
- Payroll and excise tax returns, normally due between January 31, 2023 and April 30, 2023, will be due May 15, 2023.

In addition, penalties on payroll and excise tax deposits, due on or after December 23, 2022 and before January 9, 2023, will be abated as long as the tax deposits were made by January 9, 2023.

Penalty Abatement

The IRS automatically applies this filing extension and penalty relief to any taxpayer within the disaster area. However, if an affected taxpayer receives a late filing or late payment penalty notice from the IRS that has an original or extended filing, payment or deposit due date that falls within the postponement period, the taxpayer should call the telephone number on the notice to have the IRS abate the penalty.

Need More Time?

Affected taxpayers who need even more time to file, the IRS recommends that they request an extension electronically by April 18, 2023. Those requesting an extension after April 18, 2023 and before May 15, 2023, must do so by mail.

New York State Tax Relief Not Granted

At this point, the New York State Department of Taxation and Finance has not granted similar extension deadlines for New York State taxes. The Department's website reminds those individuals and fiduciaries affected by the Blizzard of 2022 that they may request an extension (regular automatic six-month extension) to file their returns.

Contact Us

If you have questions regarding this New York State tax relief, contact any of the following:

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