

# OKLAHOMA TAX COMMISSION

TAX POLICY AND RESEARCH DIVISION  
TONY MASTIN, DIRECTOR

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July 10, 2003



Re: Our File Number LR-03-096; Nexus for use tax

Dear Sir or Madam:

This is in response to your inquiry concerning whether your firm has sufficient connection with the State of Oklahoma to be required to register and charge, accrue and remit Oklahoma use tax on its sales to its franchisees.

Pursuant to Oklahoma Tax Commission Rules 710:65-21-6 and 710:65-1-8, if your firm is not "maintaining a place of business" in Oklahoma, it is not required to register to collect and remit use tax on its sales to its franchisees. Please note however, that if the firm has employees, officers or agents entering the state for any length of time, it is required to register and collect and remit use tax.

Copies of the rules mentioned are enclosed.

This response applies only to the circumstances set out in your request of May 15, 2003. Pursuant to Commission Rule 710:1-3-73(e), this Letter Ruling may be generally relied upon **only** by the entity to whom it is issued, assuming that all pertinent facts have been accurately and completely stated, and that there has been no change in applicable law.

If I can be of further assistance, please feel free to contact me.

Sincerely,  
OKLAHOMA TAX COMMISSION

Michael G. Pillow  
Tax Policy Analyst