OKLAHOMA TAX COMMISSION

TAX POLICY AND RESEARCH DIVISION
TONY MASTIN, DIRECTOR

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October 23, 2003

Re: Our File No. LR-03-216; Your letter of October 17, 2003 to about the taxability of sales made at a gift fair.

Dear Representative Pope:

This is in response to your inquiry concerning the taxability of sales made at the International Gift Fair, whether it is a "Special event", and whether the sponsor is required to obtain a "Special Event" permit.

Based on the information you provided and the information contained on the web page concerning the gift fair, sales at the gift fair would be subject to sales tax. The sales would be made by organizations that do not have an exemption for their sales. The sales by the churches would be made in competition with other businesses that make sales of gift items and sales by churches that are made in competition with other businesses are not exempt. A copy of Oklahoma Tax Commission Rule 710:65-13-40 which deals with sales to and by churches is enclosed.

The event is a "Special event" pursuant to Laws 2003, Chapter 472, Section 16, effective August 29, 2003. A copy of Emergency Tax Commission Rule 710:65-9-8, which deals with "Special events" and, which was effective October 8, 2003 is also enclosed.

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

Sincerely,
OKLAHOMA TAX COMMISSION

Michael G. Pillow
Tax Policy Analyst

cc: Larry Shropshire