OKLAHOMA TAX COMMISSION

TAX POLICY AND RESEARCH DIVISION
TONY MASTIN, DIRECTOR

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July 20, 2006

Re: Our File No. LR-06-096; Taxability of photocopying services

Dear

This is in response to your inquiry regarding the taxability of photocopying medical records.

Section 1354 (A)(1) of Title 68 of the Oklahoma Statutes specifically levies a sales tax on the sale of tangible personal property. Oklahoma Tax Commission Rule 710:65-19-259 states, in relevant part: "The sale of photocopies and photostats represents the taxable sale of tangible personal property."

Oklahoma sales tax is a combination of the state tax rate (4 ½%) and any applicable city and county sales tax. The actual point of sale is the determining factor in computing the sales tax rate in Oklahoma. If orders are taken by telephone or mail, payment is by check or credit card, and the items are shipped to the customer, the point of sale is the place of delivery and the combination of state, city and county tax at that location would be due the state of Oklahoma. See Oklahoma Tax Commission Rules 710:65-18-3 and 710:65-15-1. Enclosed is a list of the city and county tax rates and copies of the statutes and rules referenced herein.

The sale of photostatic copies of medical records to you by is subject to sales tax. The applicable tax rate is the state tax rate (4 ½ %), the city tax rate (3%) plus the county tax rate (1.017%). You can find more information, including the Oklahoma Tax Commission Rules in their entirety and the current tax rates, from the Oklahoma Tax Commission website at www.oktax.state.ok.us.

This response applies only to the circumstances set out in your request of June 27, 2006. 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,

Lisa R. Haws
Tax Policy Analyst

Enclosures