OKLAHOMA TAX COMMISSION

TAX POLICY DIVISION
DAWN CASH, DIRECTOR

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May 18, 2007

Re: Our File Number LR-06-211; Sales tax on various transactions

Dear

This is in response to your inquiry concerning whether sales or use tax is due on certain transactions into which your client, enters. I have listed the issues to which you desire a response below and each is followed by our response.

Your issue # 1: Whether the "distribution of magazines and newsletters" is exempt from sales and consumer use tax?

Our response to issue #1: According to the website of the magazine and the newsletter are sent out periodically more often than annually and a portion of the membership dues of is designated for the magazine and newsletter. Therefore, sales or distribution of the magazine and newsletter are exempt from sales tax and use tax in Oklahoma pursuant to Oklahoma Tax Commission Rule 710:65-13-190.

Your issue #2: Whether the "membership dues" are exempt from sales and consumer use tax?

Our response to issue #2: Pursuant to Oklahoma Tax Commission Rule 710:65-19-77, the dues to are exempt from sales and use tax.

Your issue #3: Whether the "distribution of solicitations and renewals" is subject to sales or consumer use tax.

Our response to issue #3: has offices in Oklahoma and therefore has a physical connection with Oklahoma. Since the tangible personal property used for solicitation and renewal is purchased outside Oklahoma by and is sent into Oklahoma by them, the purchase price of the property sent into Oklahoma is subject to use tax. If sales tax has been paid on the tangible personal property before it is sent into

Oklahoma, a credit may be taken for the sales tax that has already been paid. Please see Oklahoma Tax Commission Rules 710:65-1-2; 7120:65-19-265; 710:65-21-3; 710:65-21-4 and 710:65-21-20.

This response applies only to the circumstances set out in your request of November 30, 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,
OKLAHOMA TAX COMMISSION

Michael G. Pillow
Tax Policy Analyst