

# OKLAHOMA TAX COMMISSION

TAX POLICY DIVISION  
DAWN CASH, DIRECTOR

PHONE (405) 521-3133  
FACSIMILE (405) 522-0063



April 24, 2009

RE: LR-08-118  
Sales Tax Inquiry (follow up question)

Dear [REDACTED]

I am writing this letter in response to your request regarding non-residence wholesalers.

Your Question:

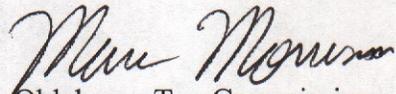
Are non-resident wholesalers required to obtain an Oklahoma sales tax permit to purchase oil for resale purposes?

Our Response:

No, non-resident wholesalers are not required to obtain an Oklahoma sales tax permit, however, in order to make purchases for resale purposes, [REDACTED] should be requesting a home resale certificate, sales tax permit, along with an affidavit from the non-resident wholesaler that the crude oil is being purchased for resale purposes.

This response applies only to the circumstances discussed in your e-mail request of February 25, 2009. 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 there has been no change in applicable law.

Sincerely,

A handwritten signature in black ink, appearing to read "Marc Morrison". The signature is written in a cursive style with a large initial "M".

Oklahoma Tax Commission  
Marc Morrison  
Tax Policy & Research Division

# OKLAHOMA TAX COMMISSION

TAX POLICY DIVISION  
DAWN CASH, DIRECTOR

PHONE (405) 521-3133  
FACSIMILE (405) 522-0063



September 26, 2008



RE: LR-08-118  
Sales Tax Inquiry

Dear [REDACTED]

I am writing this response to your inquiry regarding sales tax on crude oil.

#### Facts:

You have stated that you were informed that all sales of crude oil are exempt from sales tax in the State of Oklahoma.

#### Your Question:

Is the sale of crude oil exempt from sales tax in the State of Oklahoma and does a company with no nexus in the State of Oklahoma have a requirement to register and obtain a sales tax permit from the Oklahoma Tax commission?

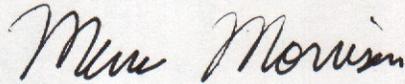
#### Our Response:

Crude oil can be subject to sales tax in the State of Oklahoma since it can be considered tangible personal property. For example, if crude oil is being delivered from outside Oklahoma or from a different well site to be used in the production of crude oil by being injected into a well site to increase production, it is subject to sales tax. However, most entities that purchase crude oil for resale or manufacturing purposes should have a valid exemption from sales tax. A company with no nexus inside Oklahoma is not required to obtain Oklahoma sales or use tax permit for resale purposes. A resale permit from another state or the multi-jurisdictional certificate will suffice along

with a statement that they are wholesalers of the tangible personal property that is being sold.

This response applies only to the circumstances discussed in your email request of August 21, 2008. 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 there has been no change in applicable law.

Sincerely,

A handwritten signature in cursive script that reads "Marc Morrison".

Oklahoma Tax Commission  
Marc Morrison  
Tax Policy & Research Division