OKLAHOMA TAX COMMISSION

TAX POLICY DIVISION
RICK MILLER, DIRECTOR

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

January 8, 2012

FAX

Re: LR-12-108

Dear :

This is in response to your question regarding the procedure for charging sales tax on online auction sales.

Please be advised that the location where a sale is sourced determines the taxes that are to be charged. Retail sales are sourced in accordance with 68 O.S. § 1354.27 to the location where the purchaser or the purchaser's donee receives the product. Oklahoma Administrative Code 710:65-18-2 provides that "receive" and "receipt" does not include possession by a shipping company on behalf of the purchaser. Unless otherwise exempt, state and any applicable local sales tax should be collected, reported and remitted to the Tax Commission on all sales sourced to Oklahoma.

Enclosed are copies of the statutory and administrative rule provisions referenced herein.

Sincerely,

OKLAHOMA TAX COMMISSION

Christy J. Caesar

Christy J. Caesar
Tax Policy Analyst