OKLAHOMA TAX COMMISSION

TAX POLICY DIVISION
RICK MILLER, DIRECTOR

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August 01, 2013

RE: LR-13-023 (Sales Tax Inquiry)

Dear

This letter is in response to your request regarding Oklahoma sales tax. Set forth verbatim are the fact presented in your correspondence of March 25, 2013 along with the question posed and the response thereto.

Facts:

offenders that are housed at our facility purchase songs for their MP3 players. They purchase the songs by buying vouchers with songs in increments of five songs per voucher. After they have paid for their songs they go to a kiosk and plug in their MP3 players and the songs are loaded on the player.

Question:

Is sales taxes to be collected on the sale of the songs?

Response:

Sales of digital products including music, video, ringtones, and books delivered electronically or by means other than a tangible storage media are not subject to Oklahoma sales tax. OAC 710:65-19-156(6).

This response applies only to the circumstances discussed in your written request of March 25, 2013. Pursuant to Oklahoma Administrative Code 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,

Oklahoma Tax Commission

Marc Morrison
Tax Policy Analyst