

OKLAHOMA TAX COMMISSION

TAX POLICY DIVISION
DAWN CASH, DIRECTOR



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

May 3, 2010

Re: LR-10-043; Agency Appointment

Dear

This is in response to your request for guidance regarding appointment of a contractor and their subcontractors to act as agent of _____ in purchasing materials for the construction of a new building. It is my understanding that _____ qualified for the sales tax exemption found at 68 O.S. § 1356(68) which exempts sales of tangible personal property and services to a 501(c)(3) organization which is a shelter for abused, neglected, or abandoned children. In order for the sales tax exemption to be applicable, the sale must be made to the _____ — invoiced to and paid for with funds of said entity. A contractor may not purchase tangible personal property or services to perform contracts with _____ exempt from sales tax. Please see OAC 710:65-13-355, a copy of which is enclosed.

This response applies only to the circumstances discussed in your request of March 15, 2010. 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

A handwritten signature in cursive script that reads "Brenda J. Sullivan".

Brenda J. Sullivan
Tax Policy Analyst

2501 NORTH LINCOLN BOULEVARD • OKLAHOMA CITY • OKLAHOMA 73194

IT IS OUR MISSION TO SERVE THE PEOPLE OF OKLAHOMA BY PROMOTING TAX COMPLIANCE THROUGH QUALITY SERVICE AND FAIR ADMINISTRATION