



1           2. The periodic presence of employees of that person at the  
2 Oklahoma premises of the commercial printer which is directly  
3 related to the services provided by that commercial printer; or

4           3. The printing, including printing-related activities and  
5 distribution of printed materials, performed by the commercial  
6 printer in Oklahoma for or on behalf of that person.

7           SECTION 2.           AMENDATORY           68 O.S. 1991, Section 1406, as  
8 last amended by Section 6, Chapter 289, O.S.L. 1996 (68 O.S. Supp.  
9 2000, Section 1406), is amended to read as follows:

10           Section 1406. ~~Every~~ Except as otherwise provided in Section 1  
11 of this act, every retailer or vendor maintaining places of business  
12 both within and without this state and making sales of tangible  
13 personal property from a place of business outside this state for  
14 use in this state shall at the time of making such sales collect the  
15 use tax levied by Section 1401 et seq. of this title from the  
16 purchaser and give to the purchaser a receipt therefor in the manner  
17 and form prescribed by the Tax Commission, if the Tax Commission  
18 shall, by regulation, require such receipt. Each retailer or vendor  
19 shall list with the Tax Commission the name and address of all the  
20 agents operating in this state and location of any and all  
21 distribution or sales houses or offices or other places of business  
22 in this state. The retailer or vendor shall not collect the use tax  
23 levied by Section 1402 of this title from a purchaser who is a

1 holder of a direct payment permit issued pursuant to ~~Section 1 of~~  
2 ~~Enrolled Senate Bill No. 1258 of the 2nd Session of the 45th~~  
3 ~~Oklahoma Legislature~~ Section 1364.1 of this title.

4 SECTION 3. NEW LAW A new section of law to be codified  
5 in the Oklahoma Statutes as Section 2386 of Title 68, unless there  
6 is created a duplication in numbering, reads as follows:

7 The following activities, either singularly or in the aggregate,  
8 with respect to any person that is not otherwise subject to income  
9 taxation in the State of Oklahoma, that has contracted with a  
10 commercial printer in this state for any printing, including but not  
11 limited to printing-related activities and distribution of printed  
12 materials, to be performed in Oklahoma, shall not subject that  
13 person to the income tax laws of this state:

14 1. The ownership by that person of tangible or intangible  
15 property located at the Oklahoma premises of the commercial printer  
16 for use by the printer in performing its services for the owner;

17 2. The periodic presence of employees of that person at the  
18 Oklahoma premises of the commercial printer which is directly  
19 related to the services provided by that commercial printer; or

20 3. The printing, including printing-related activities and  
21 distribution of printed materials, performed by the commercial  
22 printer in Oklahoma for or on behalf of that person.

1           SECTION 4. It being immediately necessary for the preservation  
2 of the public peace, health and safety, an emergency is hereby  
3 declared to exist, by reason whereof this act shall take effect and  
4 be in full force from and after its passage and approval.  
5 COMMITTEE REPORT BY: COMMITTEE ON FINANCE, dated 2-13-01 - DO PASS,  
6 As Coauthored.