

BILL SUMMARY
2nd Session of the 55th Legislature

Bill No.:	SB 1301
Version:	SUBREC
Request Number:	9707
Author:	Rep. Caldwell
Date:	4/6/2016
Impact:	Tax Commission: Unknown Impact

Research Analysis

The subcommittee recommendation for SB1301 provides that the state must immediately enforce the collection of sales and use tax on the tangible personal property sold by a remote seller upon passage of the federal Marketplace Fairness Act, the Remote Transactions Parity Act or any other congressional action related to the subject. The measure defines the term *remote sales* and *remote seller* and provides that a *remote seller* with gross annual receipts in excess of \$1 million from *remote sales* in the United State will be required to collect, report and remit sales and use tax in accordance with the Oklahoma Sales and Use Tax Code.

The measure also requires any vendor or retailer making sales of tangible personal property from a place of business outside of the state to provide to each customer whom tangible personal property was delivered to in the state a statement of total sales made during the preceding calendar year. The measure provides a sample template for the disclaimer statement and provides that a disclaimer may be delivered via first-class mail, email or any other electronic communication.

Lastly, the measure repeals statements of legislative intent to levy sales and use tax on goods sold by out-of-state vendors.

Prepared By: Quyen Do

Fiscal Analysis

The Tax Commission is unable to provide a reliable estimate of the revenue potential resulting from enactment of the provisions of the measure as the it may be difficult to pinpoint the results of increased compliance with the use tax code.

Prepared By: Mark Tygret

Other Considerations

None.