



**OKLAHOMA**  
Tax Commission

# Oklahoma Business Registration Instructions

**This packet contains information on:**

- Applying for a Federal Employer Identification Number
- Registration Process
- Bonds
- Reporting Requirements

# Do You Need to Apply for an FEIN?

Obtaining a Federal Employer Identification Number (FEIN) is required prior to registering your business with the State of Oklahoma. Apply for an FEIN online at [irs.gov](https://irs.gov).

## Tax Compliance

Per HB 2576(5), Effective July 1, 2012, it is unlawful to sell, purchase, install, transfer or possess any automated sales suppression device or zapper or phantom-ware. In addition to the criminal penalties upon conviction, the penalties for violation include an administrative fine of \$10,000.00 and immediate revocation of the violator's sales tax permit.

Per SB 1984, Effective November 1, 2012, failure to remit sales tax or file a required report three (3) times within a consecutive twenty-four (24) month period will result in business closure if taxpayer fails to pay in full or enter into an approved pay plan.

Per HB 2343, Beginning July 1, 2017 any vendor operating under a sales tax permit who is delinquent in the filing and payment of any business tax (sales, use, withholding, waste tire, mixed beverage, 9-1-1 telephone fee, vehicle rental and lodging) three times within a 24 month period is subject to business closure.

Per 68 Oklahoma Statutes (OS) Section 1364(B), Upon receipt of an initial application, the Tax Commission may issue a probationary permit effective for six (6) months which will automatically renew for an additional thirty (30) months unless the applicant receives written notification of the refusal of the Commission to renew the permit. If the applicant receives a notice of refusal, the applicant may request a hearing to show cause why the permit should be renewed. Upon receipt of a request for a hearing, the Tax Commission shall set the matter for hearing and give ten (10) days' notice in writing of the time and place of the hearing. At the hearing, the applicant shall set forth the qualifications of the applicant for a permit and proof of compliance with all state tax laws.

## Instructions and Definitions

Review each section of the registration application for accuracy. Your application must be electronically signed and submitted with the correct fee amount before your registration can be processed.

If you have any questions concerning Oklahoma business licensing or registration requirements, please contact our office.

### Notice Regarding Records and Recordkeeping

Oklahoma business owners and operators are required to maintain a record of business transactions and operations.

View and download the OTC's rules for record-keeping at [tax.ok.gov](https://tax.ok.gov). Refer to OTC Rules 710:65-3-30 through 710:65-3-33 for sales tax, and Rule 710:90-1-11 for withholding tax.

### Instructions for Registration

All applicable sections of the Business Registration Application must be completed to process the application.

For a Manufacturer Sales Tax/Exemption Permit, complete **Packet M: Oklahoma Business Registration for Manufacturers** instead. The packet is found at [tax.ok.gov](https://tax.ok.gov).

### Section 1: Reasons for Filing this Form

Check the appropriate box:

- A. New Business. Check this box if you are opening a new business and do not have permits or licenses.
- B. Additional license/permit. Check this box if you have a license/permit and are applying for other licenses/permits (Example: You purchased an additional business for which you will need licenses/permits).
- C. Other. If you checked this option, provide an explanation for requesting the exception.

**Note:** Some items may require a permit fee. See permit and licenses fees on page 10.

# Instructions and Definitions

## Section 2: Contact Information

### Item 1: Contact Information

Provide the business phone, fax number, name and email address where the applicant can be contacted.

## Section 3: Ownership Type

### Item 2: Ownership Type

Check the box which indicates how your business is owned:

- A. Individual (Sole Proprietor):** The business is owned by one individual. If you are a Sole Proprietor you must complete **Affidavit Verifying Lawful Presence in the U.S. Form G-900**, at [tax.ok.gov](http://tax.ok.gov). The affidavit must be signed and notarized. The affidavit must have your Social Security Number, or your Individual Tax Identification Number and Alien Registration Number (A# or I-94). If changing entities from a corporation, LLC or partnership to a sole proprietor, the affidavit must be completed.

If you are a sole proprietor, your registration application can not be processed without a properly executed affidavit.

The **Affidavit Verifying Lawful Presence in the U.S. Form G-900** is required pursuant to 56 Oklahoma Statutes (OS) Section 71 (Supplemental 2007).

- B. General Partnership:** The business is owned by two or more people, each of whom are liable for the debts of the partnership.
- C. Limited Partnership:** The business is owned by one or more general partners and one or more limited partners. Limited partnerships must file organizing documents with the Oklahoma Secretary of State.
- D. Oklahoma Corporation:** The business is owned by an entity that is organized pursuant to the Oklahoma General Corporation Act. Articles of Incorporation or Domestication must be filed with the Oklahoma Secretary of State.
- E. Foreign Corporation:** A foreign corporation is one formed under the laws of a state other than Oklahoma. Foreign corporations with a location or doing business in Oklahoma must register with the Oklahoma Secretary of State and receive authority to do business in Oklahoma.
- F. Limited Liability Company:** The business is owned by an entity that is an unincorporated association or proprietorship having one or more members that is organized and existing under the laws of the State. Limited Liability Companies must register with the Secretary of State of Oklahoma.
- G. Other:** The business is owned by another type of business structure, such as business trust, personal trust, government entity, etc. Trusts must provide a copy of the trust indenture or filed trust document.

### Item 3: Federal Employer Identification Number (FEIN)

An FEIN is required if the business:

- Pay wages to one or more employees or;
- Is a corporation, trust, estate, general or limited partnership, limited liability company, or non-profit organization.

**Note:** Refer to page 3 for instructions on filing for an FEIN.

### Item 4: Name of Owner

If you are a/an:

- **Individual:** Provide your name (last name, first name, and middle initial) and social security number.
- **Partnership:** Provide the name of your partnership.
- **Corporation:** Provide the corporate name as it appears on your Articles of Incorporation or Domestication.
- **Limited Liability Company:** Provide the entity name as it appears on your Articles of Organization.
- **Other:** Provide the name of the business entity.

All must provide the business mailing address.

# Instructions and Definitions

## Section 3: Ownership Type (continued)

### Item 5: Names of Partners, Responsible Corporate Officers and Managing Member(s)

Social Security Numbers are required by OTC Rule 710:1-3-6. Rules can be viewed and/or downloaded from the OTC website at [tax.ok.gov](http://tax.ok.gov). If a Social Security Number is not provided, the application will not be processed and will be returned for Social Security Numbers.

Provide the full names, titles, SSNs, and mailing address for each.

- **General Partnerships.** List all partners associated with the partnership.
- **Corporations.** List corporate officers responsible for the reporting and remittance of taxes.
- **Limited Liability Companies.** List all members or managing member responsible for the reporting and remittance of taxes.
- **Limited Partnerships.** List the general partner(s) and the limited partner(s).

## Section 4: Withholding Tax

Complete this section if the business employs, or will employ, individuals, or loan out companies in Oklahoma. If not, go to Section 5.

Do not complete this section if one or more of the following is true for the business:

- Agricultural labor is \$900 or less each month
- Domestic service in a private home, local college, club or chapter of a college fraternity/sorority
- Services performed by an employee which are outside of the employer's trade or business, and for which the payment received is less than \$200 per calendar quarter
- Nonresident wages which are \$300 or less per calendar quarter
- Services performed by a licensed minister or member of a religious order in the exercise of duties.

**Item 6:** Enter the beginning date for Oklahoma withholding tax:

- If the Oklahoma income tax withheld from an employee(s) is \$500 or more per calendar quarter, the withholdings must be remitted monthly.
- If the amount withheld is less than \$500 per calendar quarter, withholdings must be remitted quarterly.
- If the business is required to remit federal withholding tax more than once per month, the same schedule must be maintained when filing with Oklahoma.

**Item 7(a): Nonresident Royalty Interest.** Entities distributing revenue to any nonresident royalty interest owner for oil or gas produced in Oklahoma are required to withhold Oklahoma income tax at a rate equal to the top marginal Oklahoma income tax rate, applied to the gross amount of royalty. If applicable, provide the date withholdings will begin.

**Item 7(b): Pass-Through Entities:** Pass-through entities such as partnerships, S Corporations, limited liability companies and trusts are required to withhold Oklahoma income tax at a rate equal to the top marginal Oklahoma income tax rate of the Oklahoma share of income distributed to each nonresident member such as partner, shareholder, member or beneficiary. If you qualify as such, provide the date you will begin withholding tax.

**Item 8:** Enter the FEIN for withholding tax reporting, if different than Item 2.

## Section 5: Physical Location and Classification Information

If the business operates more than one location in Oklahoma, a separate registration must be completed for each location.

**Item 9:** Enter the business trade name or DBA.

**Item 10(a):** Enter the physical address of the business and county. Do not use post office boxes or rural route addresses.

**Item 10(b):** Check **yes** if the business is inside the city limits, .

# Instructions and Definitions

## Section 5: Physical Location and Classification Information (continued)

**Item 11:** Enter the phone, fax number and email address where you will be **conducting** business.

**Items 12 and 13 are the determination for reporting, collecting, and apportionment of city/county sales and use taxes.**

**Item 12:** Check **Yes** if all sales are made at the location in Item 10 and no products are delivered, check **Yes**. Check **no** if sold products are shipped outside the city limits of the business location..

**Item 13:** If all sales are made or delivered in the county listed in Item 10, check **Yes**. Check **No** if sold products are shipped outside the city limits of the business location.

**Item 14:** If the primary business type is manufacturing, complete **Oklahoma Business Registration for Manufacturers Packet M**. If the business is vending machines, complete this application for vending machine business requiring a sales tax permit. Complete **Application to Purchase Coin-Operated Device Decal(s) Form COP-20001** if purchasing coin device decals.

Machines used for gambling purposes do not require coin device decals. Refer to 21 OS Sec. 967-977, for the definition of gambling machines.

**Retail** - making sales of tangible personal property or services in this state directly to customers.

**Wholesale** - making sales of tangible personal property in this state and selling to retailers who hold sales tax permits for resale.

**Vending Machines (requiring decals)** - any and all non-gambling mechanical or electrical machines which upon the payment or insertion of a coin, token, or similar object, provides music, amusement, entertainment or dispenses tangible personal property.

**Mobile Vendor** means a vendor who conducts sales using a vehicle or trailer that is readily moveable and remains at one physical address for no more than 12 hours at one time. The vehicle's wheel and axle must be road-approved by the Department of Transportation.

### **Medical Marijuana means:**

- **Medical marijuana dispensary** - means an entity licensed by the Oklahoma Medical Marijuana Authority (OMMA) to purchase medical marijuana from a processor or grower licensee with the intent to sell it to qualified patients and caregivers.
- **Medical marijuana processor** - means an entity that has been OMMA-licensed to purchase medical marijuana from a commercial grower; prepare, manufacture, sell to and deliver medical marijuana products to a dispensary or other processor licensee; and, for a fee, may process the medical marijuana received from a qualified patient into a medical marijuana concentrate.

**Scrap metal** - means any copper or aluminum material, including manhole covers; street and traffic signs with related fixtures and hardware; electric light poles, including their fixtures and hardware, which provide electric utility or telecommunication services; highway guard rails, funeral markers, plaques or funeral vases; historical markers or public artifacts; railroad equipment; metal items marked with names, initials or logo of a government entity; and any other identifiable public property.

# Instructions and Definitions

## Section 5: Physical Location and Classification Information (continued)

**Item 15:** Specify the type(s) of goods you sell or services provided.

- **Taxable goods** include food and dairy products, men's clothing, hardware, auto parts, etc.
- **Taxable services** include parking lots, hotel, etc.
- **Nontaxable services** include janitorial service, lawn care, etc.

**Item 16(a):** Check all boxes for goods the business sells.

- **Tires.** Check this box if the business sells tires and use the assigned account number to report the Waste Tire Fee. See instructions on page 10.
- **Motor Fuel.** Check this box if the business blends or sells gasoline or diesel fuel. You must also complete **Oklahoma Registration Packet for Motor Fuel Packet F.**
- **Mixed Drinks.** Check this box if the business sells mixed drinks, then provide a current copy of the business' ABLE license to be issued a mixed beverage license. Your sales tax permit, ABLE license, and/or mixed beverage license must have the same ownership name.
- **9-1-1 Telephone Fee.** A 9-1-1 telephone fee account number will be assigned to report the \$0.75 fee.
- **Coin Operated Machines.** Check this box if the business sells or operates machines used for the purpose of vending tangible personal property, music, amusement and bulk vending.
- **Cigarettes or Tobacco.** Check this box if the company sells cigarette or tobacco products, then complete **Cigarette and Tobacco Supplement Packet C.**
- **Electronic Cigarettes and/or Vapor Products.** Check this box if the business sells electronic cigarette and/or vapor products.
- **Off-Premise Beer Sales.** Check this box if the business makes beer sales anywhere other than its primary location, and provide the business' ABLE permit number.

See page 8 for specific licenses and permits bond information.

**Item 16(b):** Check **Yes** if the business rents motor vehicles for a period of 90 days or less.

**Item 17:** Check the type(s) of wholesale business conducted in Oklahoma. Merchandise wholesalers will require a sales tax permit. See license and bond information on pages 8 and 9 for all other wholesaler businesses.

**Item 18:** This is a business operated solely from your home.

**Item 19-22:** Questions 20-22 are required if you obtained or purchased/leased the location or property from someone previously operating a business at this location. If you purchased tangible personal property to be used in the business (equipment, furniture, etc.) you must pay sales/use tax on those items. Items purchased for resale are not subject to sales tax.

## Section 6: Sales and Use Tax

**Sales Tax:** Sales tax is due when personal property is delivered or possession transferred.

**Use Tax:** Use tax is due upon the out-of-state purchase of tangible personal property to be used in Oklahoma. When an

# Instructions and Definitions

Oklahoma sales tax permit holder makes an out-of-state purchase of resale inventory are exempt from use tax.

## Section 6: Sales and Use Tax (continued)

**Item 23:** Enter the sales and/or use tax permit number(s) currently or previously held. For additional space, attach a schedule.

**Item 24/25:** Enter the beginning date for sales subject to sales, use or mixed beverage gross receipts tax.

**Item 26:** If you purchase merchandise out-of-state for your own use or consumption in Oklahoma (not for resale) from a vendor not required to collect or does not voluntarily collect and remit Oklahoma Use Tax, you are required to remit the Oklahoma Consumer Use Tax that is due, check **yes**. You will be assigned a Consumer Use Tax account. If you purchase merchandise out-of-state for your own use or consumption (not for resale) from a vendor that does collect and remit Oklahoma Use Tax, check **no**.

**Complete lines 27, 28 and 29 for out-of-state businesses.**

**Item 27(a):** Check **Yes** if you have or will have any physical inventory of goods for this business within the State of Oklahoma. You are required to obtain a sales tax permit. Check **No** if all inventory is maintained outside of the State.

**Item 27(b):** Check if you lease goods/equipment in Oklahoma. If **Yes**, you are required to obtain a sales tax permit.

**Item 28:** Select the delivery methods for goods used within Oklahoma. Delivery options are:

- Common Carrier - business shipping merchandise subject to sales or use tax into Oklahoma. A use tax permit is required. You will receive a use tax permit.
- Own Vehicles - business using a personal vehicle to install or deliver merchandise in Oklahoma. A sales tax permit is required.
- Both - a common carrier business shipping or delivering merchandise into Oklahoma using a personal vehicle. Vendor use and sales tax permits are required.

**Item 29:** A sales tax permit is required for businesses selling or installing equipment in Oklahoma.

## Section 7: Signature

Application must be electronically signed by the business owner, or, in the case of a partnership, LLC or corporation, etc., the responsible person for reporting and remitting taxes.

## Licenses, Bonds and Surety Information

The licensing and bonding requirements below are for new businesses. They may be increased administratively in accordance with the applicable statutes to protect the state's interest.

Bonds are required for:

- **Sales Tax Permits (Retail and Wholesale)** - License fee due.
- **Intoxicating Beverages Licenses**

No license fees are due for the following licenses:

- Brew pub license requires a bond in the amount of \$1,000.
- Wholesale non-resident seller license requires a bond in the amount of three months estimated tax liability with a minimum amount of \$1,000.
- Wholesale liquor license requires a bond in the amount of three months estimated tax liability with a minimum amount of \$1,000.
- Distiller or rectifier license requires a bond in the amount of three months estimated liability with a minimum amount of \$1,000.



# Instructions and Definitions

## Intoxicating Beverages Licenses(continued)

- Beer wholesaler license requires a bond in the amount of three months estimated tax liability with a minimum amount of \$1,000.
- Brewer license requires a bond in the amount of \$1,000.

**Mixed Beverage Tax Permits** – A sales tax permit is required for these permits, though there is no license fee. A bond equal to three months estimated tax liability and no less than \$1,500 is required. For a special event license a bond in the amount of \$100 is required.

**Winemaker License** – A sales tax permit is required for these licenses, though there is no license fee. A minimum \$1,000 bond is required.

**Coin Device Distribution Permit** – A sales tax permit is required with a permit fee.

**Direct Wine Shipper** – A vendor use tax permit is required for these licenses, though there is no license fee

Bonds may be in the form of cash, surety bond, certificate of deposit, certificate of savings, U.S. Treasury Bonds, or other securities as deemed acceptable to the OTC.

Surety bonds must be on OTC approved forms. Certificates of deposit must be in both the taxpayer and the OTC's names, joined by the word "or" (example: Taxpayer or the Oklahoma Tax Commission). Certificates of savings must be accompanied by a Pledge of Account form, which can be found at [tax.ok.gov](http://tax.ok.gov).

## General Information & Reporting Requirements

### Permits and Licenses

If qualified, the business will be issued the applicable permit(s), license(s) and/or account number(s) for reporting and remitting taxes. The Registration Application and fee payment must be received before issuance.

The following permits will be issued on a six-month probationary basis. The permit will automatically renew for 30 months if applicable taxes are reported and remitted timely. Thereafter, the permits will be renewed every three (3) years upon receipt of the applicable fees.

- Mixed Beverage
- Retail Cigarette
- Retail Tobacco
- Sales

The probationary permit will not be renewed if:

1. The application includes inaccurate information,
2. The business owner, partners, officers or members are delinquent in the filing or remittance of taxes, or
3. The business owner purchased a business, goods or assets from another business with a tax liability.

**Use Tax** - A vendor use tax permit will be issued to out-of-state vendors who volunteer to collect and remit use tax. They are non-expiring permits. Consumers who purchase products out-of-state for their own use or consumption will not be issued a permit, but will be issued an account number for the reporting and remittance of consumer use tax.

**Withholding Tax** - A permit is not issued, but an account number is issued for the reporting and remittance of withholding tax.

**Waste Tire Fee** - A sales tax permit is issued for businesses selling tires. An account number will be issued for the reporting and remittance of waste tire fees collected, though a permit will not be issued.

**Motor Fuel Tax** - Businesses selling any motor fuel must complete **Registration Packet for Motor Fuel**. Applicable, non-expiring permits will be issued.



# General Information & Reporting Requirements

## Permits and Licenses (continued)

**9-1-1 Telephone Fee** - A sales tax permit will be issued to businesses selling wireless communications in Oklahoma. Though a 9-1-1 telephone fee permit will not be issued, an account number will be provided for reporting and remittance of the 9-1-1 telephone fees collected..

## Changes Affecting Your Permits

Report business mailing and physical address changes to the OTC by completing **Notification of Business Address Change Form BT-115-C**. An updated permit will be issued with the new business address.

If the business ceases operation, return the permit(s) to the OTC with the applicable information on the back.

Complete a new Business Registration Application for changes to the business ownership type.

Notify the OTC of business name changes in writing.

## Reporting Requirements and Due Date

The following tax types require a report to be filed on or before the 20th day of each month following each reporting period:

- **9-1-1 telephone fee**
- **Intoxicating beverage** (wine, spirits, liquor and beer)
- **Manufactured cigarettes**
- **Medical marijuana**
- **Mixed beverage**
- **Sales**, unless the tax due is less than \$50 per month, in which case there may be an allowance to report semi-annually.
- **Use**, unless the tax due is less than \$50 per month, in which case there may be an allowance to report semi-annually.
- **Waste tire**
- **Wholesale cigarette**
- **Wholesale tobacco**
- **Withholding**, unless the tax due is less than \$500 per quarter, in which case reporting may be done quarterly.

**Motor fuel** reports are due on or before the 25th day of the month following each reporting period.

# General Information & Reporting Requirements

## Electronic Filing Required

Pursuant to OTC Rule 710:65-3-1(d), all new sales tax registrants must report and remit sales tax electronically unless the registrant receives an exception to the electronic filing requirement.

Electronic filing is done on OkTAP, which is found by visiting **oktap.tax.ok.gov**. Payment options include ACH debit, ACH credit and credit card.

Make the request for an exception to the electronic filing requirement in writing and mail it to:

**Oklahoma Tax Commission  
Oklahoma City, Oklahoma 73194**

If the determination is made that the vendor is unable to participate in the electronic fund transfer and electronic data interchange program, the vendor will be permitted to report on paper.

A vendor will be permitted to file electronically if:

- They do not have access to a computer or internet, and
- They use a tax preparer without computer or internet access.

If granted, the exception will be in effect for 12 months. At the end of the exception period, the vendor or business owner must reapply for the exemption or begin electronic filing.

Pursuant to 68 OS Sec. 207, OAC 710:1-5-21 through 710:1-5-48, and the OTC's Rules of Practice and Procedure, a vendor or business owner is permitted to protest the OTC's determination.

## Contact Us

Contact us at **taxassist@tax.ok.gov** or **405.521.3160**. Visit **tax.ok.gov** for information on a variety of other topics.