TITLE 710. OKLAHOMA TAX COMMISSION
CHAPTER 95. Miscellaneous Areas of Regulatory and Administrative Authority

RULEMAKING ACTION: Notice of proposed **PERMANENT** rulemaking.

PROPOSED RULES:
Subchapter 15. Wire Transmitter Fee
710:95-15-3. Wire transmitter fee [AMENDED]

SUMMARY:
Amendments to Section 710:95-15-3 clarify the application of the wire transmitter fee pursuant to statutory changes enacted by HB 3521 (2026). The amendments add the phrase "the value of" to account for other currencies and clarify that quarterly reports must be filed even when no transactions have occurred. The amendments also remove a reference to a tax credit that has expired.

AUTHORITY: 63 O.S. § 2-503.1j; Oklahoma Tax Commission

COMMENT PERIOD: Persons wishing to present their views in writing may do so by 4:30 p.m., January 5, 2027, at the following address: Oklahoma Tax Commission, Tax Policy and Research Division, Oklahoma City, Oklahoma 73194, Attention: Corey Jager, or by email to OTCadminrules@tax.ok.gov.

PUBLIC HEARING: A public hearing is scheduled for 9 a.m., on Tuesday, January 5, 2027, at the Oklahoma Tax Commission, in Conference Room 5, located on the 28th Floor, 123 Robert S. Kerr Ave, Oklahoma City, Oklahoma.

To gain access to the hearing, attendees must register at the information desk in the lobby by presenting a driver license or other photo identification.

REQUEST FOR COMMENTS FROM BUSINESS ENTITIES: Although nothing in this rulemaking action has been determined to adversely impact small business, the Oklahoma Tax Commission requests that, pursuant to 75 O.S. § 303(B)(6), business entities affected by these rules provide the OTC, within the comment period, in dollar amounts if possible, the increase in the level of direct costs such as fees, and indirect costs such as reporting, recordkeeping, equipment, construction, labor, professional services, revenue loss, or other costs expected to be incurred by a particular entity due to compliance with the proposed rule.

COPIES OF PROPOSED RULES: Copies of the proposed rules may be obtained from the below listed contact person. The proposed rules may also be viewed on the agency's website at tax.ok.gov.

RULE IMPACT STATEMENT: Pursuant to 75 O.S. § 303(D), a Rule Impact Statement is available from the below listed contact person. The Rule Impact Statement may also be viewed on the agency's website at tax.ok.gov.

CONTACT PERSON: Corey Jager, Agency Liaison, Tax Policy Division, Oklahoma Tax Commission, Oklahoma City, Oklahoma 73194; Telephone number: (405) 521-4155; Email: corey.jager@tax.ok.gov

CHAPTER 95. MISCELLANEOUS AREAS OF REGULATORY AND ADMINISTRATIVE AUTHORITY

SUBCHAPTER 15. WIRE TRANSMITTER FEE

710:95-15-3. Wire transmitter fee

(a) **Applicability of the fee.** Beginning July 1, 2009, there is a fee ~~levied against~~ that shall be collected by licensees by the Drug Money Laundering and Wire Transmitter Act on each ~~money transmission~~ transaction initiated at a location of any licensee or its delegate of a money transmitter or wire transmitter business. [**See**: 63 O.S. § 2-503.1j]

(b) **Amounts.** The fee shall be assessed on the amount of the ~~money transmission~~ transaction, exclusive of fees and costs. The amount of the fee shall be determined as follows:

(1) For each transaction not ~~in excess of Five Hundred Dollars ($500.00)~~ exceeding the value of $500, the fee is ~~Five Dollars ($5.00)~~ $5.00.

(2) For each transaction ~~in excess of Five Hundred ($500.00)~~ exceeding the value of $500, the fee is ~~Five Dollars ($5.00)~~ $5 plus ~~one percent (1%)~~ 1% of the amount ~~in excess of Five Hundred Dollars ($500.00)~~ exceeding the value of $500.

(c) **Reports.** Every licensee required to collect the wire transmitter fee shall file a quarterly return and remit the fees collected to the Commission electronically on or before the ~~fifteenth (15th)~~ 15th day of the month following the close of each quarter. Returns must be filed even if the transaction total is zero for the quarter. The licensee may deduct from the fees payable for the quarter the amount of any fees associated with incomplete transfers which are refunded to consumers during that quarter provided proof of refund to customer is attached. Quarterly returns shall be filed on a calendar year basis and not a fiscal year basis.

~~(d) **Notice.** Every licensee and their delegates shall post a notice on a form prescribed by the Bureau that notifies customers that upon filing an Oklahoma individual income tax return with either a valid social security number or a taxpayer identification number the customer shall be entitled to an income tax credit equal to the amount of the fee paid by the customer for the transaction.~~

TITLE 710. OKLAHOMA TAX COMMISSION

CHAPTER 95. MISCELLANEOUS AREAS OF REGULATORY AND ADMINISTRATIVE AUTHORITY

RULE IMPACT STATEMENT

Pursuant to 75 O.S. § 303(D), the Oklahoma Tax Commission provides the following Rule Impact Statement regarding the proposed amendments to Chapter 95 of Title 710 of the Oklahoma Administrative Code.

A. STATEMENT OF NEED AND LEGAL BASIS – 75 O.S. § 303(D)(3)(a)

Pursuant to 68 O.S. § 203, the Oklahoma Tax Commission is authorized to promulgate and enforce rules necessary for the administration and collection of state taxes. Additionally, pursuant to 63 O.S. § 2-503.1j, the Commission is authorized to administer and enforce the collection of the wire transmitter fee. These amendments are necessary to clarify the application of the wire transmitter fee to transactions involving cryptocurrency kiosks and other currencies, clarify quarterly reporting requirements, including the filing of returns when no transactions have occurred, and remove an outdated reference to an expired income tax credit.

B. CLASSIFICATION OF RULE AND COST DETERMINATION – 75 O.S. § 303(D)(3)(b)

Classification: Nonmajor.

Estimated Annual Implementation and Compliance Costs: $0

Estimated Initial Five-Year Implementation and Compliance Costs: $0

Five-Year Cost to Businesses/Business Sectors: $0

Five-Year Cost to State Government: $0

Five-Year Cost to Local Government Units: $0

Five-Year Cost to Individuals: $0

Total Estimated Five-Year Cost: $0

FTE Impact: No additional FTE.

Cost Impact Information Received: None.

Classification Justification: Nonmajor; $0 implementation and compliance cost. The proposed amendments are primarily administrative and clarifying in nature and do not establish additional fees or materially increase existing compliance obligations. The amendments are not expected to require additional state or local government resources or additional FTE. Therefore, implementation and compliance costs attributable to the proposed rules are estimated at $0 annually and over the initial five-year period.

The estimated implementation and compliance costs **will not exceed $1,000,000** over the initial five-year period.

C. DESCRIPTION AND FEDERAL MANDATE – 75 O.S. § 303(D)(3)(c)

Purpose and Description of Proposed Rule:

Amendments to Section 710:95-15-3 clarify the application of the wire transmitter fee pursuant to statutory changes enacted by HB 3521 (2026). The amendments add the phrase "the value of" to account for other currencies and clarify that quarterly reports must be filed even when no transactions have occurred. The amendments also remove a reference to a tax credit that has expired.

Federal Mandate:

The proposed amendments are not mandated by federal law and are not required for participation in or implementation of a federally subsidized or assisted program.

Federal Requirement Comparison:

The proposed rules are administrative in nature and do not implement or exceed a federal requirement.

D. CLASSES AFFECTED – 75 O.S. § 303(D)(3)(d)

The classes of persons affected by these rules include licensed money transmitters, wire transmitters, cryptocurrency kiosk operators, and customers utilizing these services.

Affected Classes:

Affected Class	Approx. Number	Impact	Nature of Impact	Annual Cost	Five-Year Cost
Money & wire transmitters	Unknown	Neutral	Clarifies fee collection, remittance, and quarterly reporting requirements.	$0	$0
Crypto kiosk operators	Unknown	Neutral	Clarifies applicability of the fee and reporting requirements to kiosk transactions.	$0	$0
Kiosk and transmitter customers	Unknown	Neutral	Continue to pay applicable transaction fees; no changes to the existing fee structure are proposed.	$0	$0

No additional implementation or compliance costs are expected for affected classes. The proposed rules are administrative in nature and do not impose additional fees or other costs.

E. CLASSES BENEFITED – 75 O.S. § 303(D)(3)(e)

Money and wire transmitters may benefit from clearer fee collection and reporting requirements. Cryptocurrency kiosk operators may benefit from clarification of applicable fee and reporting obligations. Kiosk and transmitter customers may benefit from clearer and more consistent application of transaction fees.

F. COMPREHENSIVE ECONOMIC IMPACT – 75 O.S. § 303(D)(3)(f)

Agency Impact

Implementation Cost: $0

Ongoing Annual Cost: $0

Five-Year Cost: $0

FTE Impact: 0

The proposed amendments will be implemented using existing agency resources and do not require additional staffing, programming, training, forms, or other resources.

Economic Impact by Affected Sector/Class:

Affected Sector/Class	Annual Cost	Five-Year Cost	Anticipated Benefit
Businesses	$0	$0	Administrative clarity
Business sectors	$0	$0	N/A
Public utility ratepayers	$0	$0	N/A
Individuals	$0	$0	Administrative clarity
State government	$0	$0	Improved reporting and oversight of existing fees
Local government units	$0	$0	N/A
Other	$0	$0	Administrative clarity

State Economy as a Whole:

No significant economic impact on the state economy is anticipated from the proposed rules.

Fees and Revenue:

Fee Changes: None.

Revenue Impact: $0 attributable to the proposed rules.

Economic Impact and Summary:

Economic Impact: $0

Economic Impact Summary: The proposed rules are administrative in nature and are not expected to impose additional implementation or compliance costs on businesses, individuals, or governmental entities.

G. METHODOLOGY AND ASSUMPTIONS – 75 O.S. § 303(D)(3)(g)

The analysis reviewed the requirements of proposed rules to determine whether the rules create any additional implementation or compliance costs. No quantitative cost or revenue modeling was necessary because the proposed rules are administrative in nature, largely proposing clarifications to current definitions and processes, and do not impose additional fees or other compliance costs. The proposed rules will be implemented using existing agency resources, and implementation and compliance costs attributable to the rules are estimated to be $0 annually and over five years.

H. ECONOMIC IMPACT ON POLITICAL SUBDIVISIONS – 75 O.S. § 303(D)(3)(h)

Five-Year Projected Impact: $0

Administrative/FTE Impact: 0

Political Subdivisions Affected: None

No economic impact or additional responsibilities are anticipated for political subdivisions as a result of the proposed rules.

I. SMALL BUSINESS IMPACT – 75 O.S. § 303(D)(3)(i)

After consideration pursuant to the Oklahoma Small Business Regulatory Flexibility Act, the proposed amendments are not expected to have an adverse economic effect on small businesses because they are administrative in nature and do not impose additional compliance costs.

Estimated Annual Compliance Cost to Small Businesses: $0

Estimated Five-Year Compliance Cost to Small Businesses: $0

J. MEASURES TO MINIMIZE COSTS AND IMPACT – 75 O.S. § 303(D)(3)(j)

The proposed rules will be implemented using existing agency procedures and do not impose additional costs or requirements.

K. EFFECT ON PUBLIC HEALTH, SAFETY, AND ENVIRONMENT – 75 O.S. § 303(D)(3)(k)

Anticipated Impact: None

The proposed rules have no anticipated effect on public health, safety, or the environment.

L. DETRIMENTAL EFFECT IF RULE IS NOT IMPLEMENTED – 75 O.S. § 303(D)(3)(l)

Anticipated Detrimental Effect: Failure to implement the proposed amendments may result in administrative uncertainty, inconsistent application of statutory requirements, and a lack of clear guidance regarding the administration and collection of the wire transmitter fee. Without these updates, existing rules may not adequately address transactions involving cryptocurrency kiosks and other currencies or clearly communicate quarterly reporting requirements, including the filing of returns when no transactions have occurred. This may lead to inconsistent practices and uncertainty for both the Commission and affected licensees.

M. DATE PREPARED / DATE MODIFIED – 75 O.S. § 303(D)(3)(m)

Date Prepared: November 18, 2026

Date Modified: N/A

N. ANALYSIS OF ALTERNATIVES – 75 O.S. § 303(D)(3)(n)

No viable alternatives to adopting the proposed amendments were identified. Amending the rules is necessary to clarify existing statutory requirements, ensure consistent application and reporting of the wire transmitter fee, and remove outdated provisions. Maintaining the current rules would leave existing ambiguities and outdated language unaddressed.

O. RESOURCES USED TO DEVELOP THE RULE – 75 O.S. § 303(D)(3)(o)

Estimated State Employee Time: <24 hours

Estimated Other Resources: $0

The proposed amendments were developed using existing agency staff and resources. No outside consultants or additional expenditures were required.

P. EXISTING OR PROPOSED FEDERAL REGULATIONS – 75 O.S. § 303(D)(3)(p)

No applicable federal regulations have been identified that address the activities regulated by the proposed amendments.