



27 1. Eighty percent of its total revenue from short-term  
28 rental agreements for the use of heavy equipment; or

29 2. Sixty percent of its total revenue from lease or rental  
30 agreements for the use of heavy equipment that each have a term  
31 of less than 270 days.

32 (c) "Short-term rental agreement" means a lease or rental  
33 agreement with a term of less than 92 days or an at-will  
34 contract that does not specify a term; however, "short-term  
35 rental agreement" does not include any extension or renewal of a  
36 lease or rental agreement with an original term of 92 days or  
37 more.

38 (d) "Short-term lessor" means a person or entity engaging  
39 in the business of leasing or renting heavy equipment that  
40 derives at least:

41 1. Eighty percent of its total revenue from short-term  
42 rental agreements for the use of heavy equipment; or

43 2. Sixty percent of its total revenue from lease or rental  
44 agreements for the use of heavy equipment that each have a term  
45 of less than 270 days.

46 (2) For the purpose of recovering the tangible personal  
47 property tax imposed on heavy equipment, a short-term lessor may  
48 collect a recovery fee in an amount equal to 2 percent of the  
49 total rental transaction fee generated in each county of  
50 operation. The recovery fee may be collected and retained after  
51 payment of the tangible personal property tax assessed for the  
52 previous year only if the heavy equipment is subject to a rental

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53 agreement with a term of less than 270 days that discloses the  
54 amount and purpose for the collection of the recovery fee.

55 (a) A short-term lessor may not seek additional recoupment  
56 of the recovery fee for the current year if the actual recovery  
57 fee collected in the current year exceeds the tangible personal  
58 property tax paid in the previous year.

59 (b) If, during the current year, the recovery fee  
60 collected by the short-term lessor exceeds the tax paid in the  
61 previous year, the recovery fee recoupment for the following  
62 year must be reduced by an amount equal to such excess amount.

63 Section 2. This act shall take effect July 1, 2015.