

Committee on Budget Subcommittee on Finance and Tax

CS/HB 7099 — Tax Administration

by Appropriations Committee; Finance and Tax Committee; and Rep. Grant (CS/CS/SB 1304 by Budget; Budget Subcommittee on Finance and Tax)

This bill contains the Department of Revenue's recommendations for changes to the tax administration statutes.

- It amends statutes concerning criminal penalties to remove redundant and potentially confusing language. No new penalties are created by this bill.
- It clarifies the department's authority to require security to prevent delinquent sales tax dealers from closing down a business with tax liabilities and reopening under a new name.
- It changes the remittance date for funds collected by the Clerks of the Court to conform to changes made by the Legislature in 2010.
- It makes an automated sales suppression device an illegal contraband article. An automated sales suppression device is a software program that falsifies the records of electronic cash registers and other point-of-sale systems in order to evade state and federal taxes and allows dealers to steal taxes collected from customers. The bill makes it unlawful to willfully and knowingly sell, purchase, install, transfer, or possess in this state any automated sales suppression device.
- It corrects a glitch in language that was enacted last year in the definition of "qualified capital expenditure."
- The bill allows the Department of Revenue to use drivers' license images to establish positive identification for tax administration purposes.
- It allows local governments additional time to notify the Department of Revenue of gas tax rate changes.
- The bill requires an employer to produce records requested by AWI or the department for audit purposes in order to receive an unemployment tax rate below the standard rate.
- The bill reduces the interest rate imposed on unemployment compensation tax deficiencies from 12 percent to prime plus 4 percent.
- It clarifies statutory language about the taxability of storage fees for towed vehicles, and provides a definition of "lawful impoundment" for purposes of determining whether storage fees are taxable.
- It provides a retailer, dealer, or vendor an absolute defense to a claim for a sales tax refund if a tax on delivery charges was collected and remitted pursuant to an agreement with the Department of Revenue.
- It distributes \$5 million annually to the Florida Institute of Technology for a space exploration research institute, beginning July 1, 2013.

If approved by the Governor, these provisions take effect July 1, 2012.

Vote: Senate 30-8; House 97-16