

By the Committee on Agriculture and Representatives  
Ziebarth, Kelly, Bronson, Putnam, Smith, Minton, Mackey,  
Peaden, Spratt, Fuller, Ogles, Westbrook, Sembler, Boyd,  
Bullard, Wise, Crady, Melvin, Littlefield, Byrd, Dockery,  
(Additional Sponsors on Last Printed Page)

1                                   A bill to be entitled  
2           An act relating to tax on sales, use, and other  
3           transactions; amending s. 212.02, F.S.;  
4           providing a definition of "self-propelled farm  
5           equipment," "power-drawn farm equipment,"  
6           "power-driven farm equipment," and "forest";  
7           amending s. 212.08, F.S.; revising application  
8           of the partial exemption for self-propelled or  
9           power-drawn farm equipment; including  
10          power-driven farm equipment within such  
11          exemption; reducing the rate of tax on such  
12          equipment over a specified period and exempting  
13          such equipment beginning July 1, 2000; amending  
14          s. 212.12, F.S., relating to promulgation of  
15          tax brackets by the Department of Revenue, to  
16          conform; providing an effective date.

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18 Be It Enacted by the Legislature of the State of Florida:

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20           Section 1. Subsections (27), (28), (29), and (30) are  
21 added to section 212.02, Florida Statutes, 1996 Supplement, to  
22 read:

23           212.02 Definitions.--The following terms and phrases  
24 when used in this chapter have the meanings ascribed to them  
25 in this section, except where the context clearly indicates a  
26 different meaning:

27           (27) "Self-propelled farm equipment" means equipment  
28 which contains within itself the means for its own propulsion,  
29 including, but not limited to, tractors.

30           (28) "Power-drawn farm equipment" means equipment  
31 which is pulled, dragged, or otherwise attached to

1 self-propelled equipment, including, but not limited to,  
2 discs, harrows, hay balers, and mowers.

3 (29) "Power-driven farm equipment" means moving or  
4 stationary equipment dependent upon an external power source  
5 in order to perform its function, including, but not limited  
6 to, conveyors, augers, feeding systems, and vacuum pumps.

7 (30) "Forest" means the land stocked by trees of any  
8 size used in the production of forest products, or formerly  
9 having such tree cover, and not currently developed for  
10 nonforest use.

11 Section 2. Subsection (3) of section 212.08, Florida  
12 Statutes, 1996 Supplement, is amended to read:

13 212.08 Sales, rental, use, consumption, distribution,  
14 and storage tax; specified exemptions.--The sale at retail,  
15 the rental, the use, the consumption, the distribution, and  
16 the storage to be used or consumed in this state of the  
17 following are hereby specifically exempt from the tax imposed  
18 by this part.

19 (3) EXEMPTIONS, ~~PARTIAL~~; CERTAIN FARM  
20 EQUIPMENT.--Until June 30, 1998, there shall be taxable at the  
21 rate of 3 percent the sale, use, consumption, or storage for  
22 use in this state of self-propelled, ~~or~~ power-drawn, ~~or~~  
23 power-driven farm equipment used exclusively on a farm or in a  
24 forest by a farmer on a farm owned, leased, or sharecropped by  
25 the farmer in plowing, planting, cultivating, or harvesting  
26 crops or products as produced by those agricultural industries  
27 included in s. 570.02(1). Beginning July 1, 1998, the tax  
28 rate applicable to such equipment shall be 2 percent.  
29 Beginning July 1, 1999, the tax rate applicable to such  
30 equipment shall be 1 percent. Beginning July 1, 2000, and  
31 thereafter, such equipment shall be exempt from the tax

1 imposed by this chapter. Harvesting is not to be construed to  
2 include processing activities. This exemption is not  
3 forfeited by the act of moving farm equipment between farms or  
4 forests. The rental of self-propelled, ~~or~~ power-drawn, or  
5 power-driven farm equipment shall be taxed at the rate of 6  
6 percent.

7 Section 3. Subsection (11) of section 212.12, Florida  
8 Statutes, 1996 Supplement, is amended to read:

9 212.12 Dealer's credit for collecting tax; penalties  
10 for noncompliance; powers of Department of Revenue in dealing  
11 with delinquents; brackets applicable to taxable transactions;  
12 records required.--

13 (11) The department is authorized to provide by rule  
14 the tax amounts and brackets applicable to all taxable  
15 transactions that occur in counties that have a surtax at a  
16 rate other than 1 percent which transactions would otherwise  
17 have been transactions taxable at the rate of 6 percent.  
18 Likewise, the department is authorized to promulgate by rule  
19 the tax amounts and brackets applicable to transactions  
20 taxable at 3, 2, or 1 percent pursuant to s. 212.08(3),  
21 transactions taxable at 7 percent pursuant to s. 212.05(1)(e),  
22 and on transactions which would otherwise have been so taxable  
23 in counties which have adopted a discretionary sales surtax.

24 Section 4. This act shall take effect October 1, 1997.  
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