

By Representative Constantine

1 A bill to be entitled
2 An act relating to tax administration; amending
3 s. 193.063, F.S., which authorizes the property
4 appraiser to grant an extension for filing
5 tangible personal property tax returns;
6 removing a limitation on such extension;
7 revising requirements for the request for an
8 extension; amending s. 199.282, F.S.; reducing
9 the penalties for failure to timely pay annual
10 or nonrecurring intangible personal property
11 tax and failure to timely file an annual tax
12 return; providing an effective date.

13

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

15

16 Section 1. Section 193.063, Florida Statutes, is
17 amended to read:

18 193.063 Extension of date for filing tangible personal
19 property tax returns.--The property appraiser may, at her or
20 his discretion, grant an extension for the filing of a
21 tangible personal property tax return ~~for up to 45 days~~. A
22 request for extension must be made in time for the property
23 appraiser to consider the request and act on it before the
24 regular due date of the return. A request for extension must
25 include the name of the taxable entity, the tax identification
26 number of the taxable entity, and the reason an extension
27 should be granted, and may be signed by the tax preparer or an
28 individual authorized by the taxable entity.

29 Section 2. (1) Subsections (3) and (4) of section
30 199.282, Florida Statutes, are amended to read:

31 199.282 Penalties for violation of this chapter.--

1 (3)(a) If any annual or nonrecurring tax is not paid
2 by the due date, a delinquency penalty shall be charged. The
3 delinquency penalty shall be 5 ~~10~~ percent of the delinquent
4 tax for each calendar month or portion thereof from the due
5 date until paid, up to a limit of 25 ~~50~~ percent of the total
6 tax not timely paid.

7 (b) If any annual tax return required by this chapter
8 is not filed by the due date, a penalty of 5 ~~30~~ percent of the
9 tax due with the return shall be charged for each calendar
10 month ~~year~~ or portion thereof from the due date until filed,
11 up to a limit of 25 percent of the total tax due ~~of the year~~
12 ~~during which the return remains unfiled.~~

13 (4) If an annual tax return is filed and property is
14 either omitted from it or undervalued, then a specific penalty
15 shall be charged. The specific penalty shall be 15 ~~30~~ percent
16 of the tax attributable to each omitted item or to each
17 undervaluation. No delinquency or late filing penalty shall be
18 charged with respect to any undervaluation.

19 (2) This section shall take effect January 1, 1998,
20 and shall apply to taxes due on or after January 1, 1998.

21 Section 3. This act shall take effect January 1, 1998.

22
23 *****

24 HOUSE SUMMARY

25 Revises provisions which authorize the property appraiser
26 to grant an extension for filing tangible personal
27 property tax returns, to remove a limitation on such
28 extension and revise the requirements for the request for
an extension.

29 Reduces the penalties for failure to timely pay annual or
30 nonrecurring intangible personal property tax and failure
to timely file annual tax returns.