

By Representative K. Pruitt

1 A bill to be entitled
2 An act relating to tax on sales, use, and other
3 transactions; providing that no tax on certain
4 purchases by, and revenues of, a chamber of
5 commerce not actually paid or collected before
6 a specified date shall be due from that chamber
7 of commerce; providing an effective date.

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9 WHEREAS, the promotion of business within the State of
10 Florida serves the interests of the citizens of Florida
11 generally, and

12 WHEREAS, enhanced business activity within the State of
13 Florida results in the generation of greater revenues to the
14 state arising from sales within the state and the sales tax
15 revenues generated thereby, and

16 WHEREAS, the current system of sales and use taxation
17 of chambers of commerce has been fraught with lack of clarity
18 as to application of law and rule to chambers of commerce as
19 unique not-for-profit organizations, and

20 WHEREAS, the current system of sales and use taxation
21 rules has been subject to arbitrary, capricious, and
22 inconsistent interpretation, NOW, THEREFORE,

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

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26 Section 1. (1) As used in this section, "chamber of
27 commerce" means an organization whose operations and
28 membership are defined without regard to any specific industry
29 or industries, and which is qualified as a "chamber of
30 commerce" under s. 501(c)(6) of the Internal Revenue Code of
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1 1986, as amended, and which is organized as a not-for-profit
2 corporation.

3 (2) No tax imposed by chapter 212, Florida Statutes,
4 on the following transactions, and not actually paid or
5 collected by a chamber of commerce before December 31, 1994,
6 shall be due from that chamber of commerce:

7 (a) Purchases by a chamber of commerce for use in its
8 operations to foster business intended to occur within the
9 state.

10 (b) Revenues of a chamber of commerce derived from
11 activities of the chamber of commerce that are intended to
12 foster business within the state for its members and the
13 general business community, including dues and fees to
14 members, the conduct of events for admission, charges to
15 businesses for participation in trade shows and similar
16 events, circulation of printed materials, including newspapers
17 and newsletters regardless of the quantity of advertising
18 content and regardless of the frequency of distribution, and
19 business seminars and events to assist businesses with their
20 operations, with compliance with laws, or with activities
21 within their communities. Any revenues derived by a chamber
22 of commerce from resales by the chamber of commerce of
23 materials routinely and directly available to any person
24 without the participation of the chamber of commerce, and
25 which would occur without participation, addition, or
26 modification in any material way by the chamber of commerce,
27 are not qualified as an exempt transaction of the chamber of
28 commerce under this section.

29 Section 2. This act shall take effect upon becoming a
30 law.

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HOUSE SUMMARY

Provides that no sales tax imposed on certain purchases
by, and revenues of, a chamber of commerce, and not
actually paid or collected before December 31, 1994,
shall be due from that chamber of commerce.