

By Representative Fuller

1 A bill to be entitled
2 An act relating to tax on sales, use, and other
3 transactions; amending s. 212.11, F.S.;
4 revising provisions which require dealers who
5 paid \$100,000 or more in tax in the prior year
6 to make estimated tax payments; providing that
7 certain dealers engaged in the sale of boats,
8 motor vehicles, or aircraft may, in lieu of
9 making estimated tax payments, remit the tax
10 for sales of \$100,000 or more at the time of
11 sale; providing an effective date.

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

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15 Section 1. Subsection (4) of section 212.11, Florida
16 Statutes, 1996 Supplement, is amended to read:

17 212.11 Tax returns and regulations.--

18 (4)(a) Each dealer who is subject to the tax imposed
19 by this part and who paid such tax for the preceding state
20 fiscal year in an amount greater than or equal to \$100,000
21 shall calculate the amount of estimated tax due pursuant to
22 this section for any month as provided in paragraph (1)(a).

23 (b) The amount of any estimated tax shall be due,
24 payable, and remitted by electronic funds transfer by the 20th
25 day of the month for which it is estimated. The difference
26 between the amount of estimated tax paid and the actual amount
27 of tax due under this part for such month shall be due and
28 payable by the first day of the following month and remitted
29 by electronic funds transfer by the 20th day thereof.

30 (c) Any dealer who is eligible to file a consolidated
31 return and who paid the tax imposed by this part for the

1 immediately preceding state fiscal year in an amount greater
2 than or equal to \$100,000 or would have paid the tax in such
3 amount if he or she had filed a consolidated return shall be
4 subject to the provisions of this subsection notwithstanding
5 an election by the dealer in any month to file a separate
6 return.

7 (d)1. A dealer who is engaged in the business of
8 selling boats, motor vehicles, or aircraft may, in lieu of
9 making estimated tax payments as required by this subsection,
10 remit the tax at the time of sale with respect to the sale of
11 each boat, motor vehicle, or aircraft sold for a sales price
12 of \$100,000 or greater.

13 2. In order to qualify for this remittance procedure,
14 a boat, motor vehicle, or aircraft dealer must have remitted
15 sales tax for the preceding state fiscal year in an amount
16 greater than or equal to \$100,000 per business location.

17 3. The tax shall be remitted either by electronic
18 funds transfer on the date of the sale or on a form prescribed
19 by the department and postmarked on the date of the sale.

20 (e)(d) The penalty provisions of this part, except s.
21 212.12(2)(c), apply to the provisions of this subsection.

22 Section 2. This act shall take effect July 1, 1997.

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25 HOUSE SUMMARY

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27 Revises provisions which require sales tax dealers who
28 paid \$100,000 or more in tax in the prior year to make
29 estimated tax payments. Provides that certain dealers
30 engaged in the sale of boats, motor vehicles, or aircraft
31 may, in lieu of making estimated tax payments, remit the
tax for sales of \$100,000 or more at the time of sale.