

1 A bill to be entitled
2 An act relating to tax on sales, use, and other
3 transactions; amending s. 212.06, F.S.;
4 exempting certain vessels used by vessel
5 manufacturers and dealers solely for
6 demonstration, sales promotional, or testing
7 purposes from said tax; providing a definition;
8 providing for application; amending s. 212.11,
9 F.S.; revising provisions which require dealers
10 who paid \$100,000 or more in tax in the prior
11 year to make estimated tax payments; providing
12 that certain dealers engaged in the sale of
13 boats, motor vehicles, or aircraft may make
14 estimated tax payments for a portion of sales,
15 while remitting the tax for sales of \$100,000
16 or more at the time of sale; providing for a
17 tax exemption for specified performing arts
18 centers; amending s. 212.031, F.S.; relating to
19 the lease or rental of or license in real
20 property; providing language with respect to
21 property located at a port; amending s. 212.08,
22 F.S.; clarifying the application of a sales and
23 use tax exemption for machinery and equipment
24 necessary in the production of electrical or
25 steam energy from the burning of boiler fuels;
26 providing that the use of a de minimis amount
27 of residual fuel to help burn nonresidual fuel
28 shall not reduce the exemption; providing for a
29 prorated exemption in facilities where
30 machinery and equipment are necessary to burn
31 residual and nonresidual fuels; providing

1 rulemaking authority; amending s. 212.08, F.S.;
2 providing an exemption for sales to certain
3 health systems for a specified period; amending
4 s. 212.08, F.S.; exempting certain nonprofit
5 hospital laundries from the sales tax;
6 providing an effective date.

7
8 Be It Enacted by the Legislature of the State of Florida:

9
10 Section 1. Paragraph (d) is added to subsection (1) of
11 section 212.06, Florida Statutes, to read:

12 212.06 Sales, storage, use tax; collectible from
13 dealers; "dealer" defined; dealers to collect from purchasers;
14 legislative intent as to scope of tax.--

15 (1)

16 (d)1. Notwithstanding any other provision of this
17 chapter, tax shall not be imposed on any vessel registered
18 pursuant to s. 327.11 by a vessel dealer or vessel
19 manufacturer with respect to a vessel used solely for
20 demonstration, sales promotional, or testing purposes. The
21 term "promotional purposes" shall include, but not be limited
22 to, participation in fishing tournaments. For the purposes of
23 this paragraph, "promotional purposes" means the entry of the
24 vessel in a marine-related event where prospective purchasers
25 would be in attendance, where the vessel is entered in the
26 name of the dealer or manufacturer, and where the vessel is
27 clearly marked as for sale, on which vessel the name of the
28 dealer or manufacturer is clearly displayed, and which vessel
29 has never been transferred into the dealer's or manufacturer's
30 accounting books from an inventory item to a capital asset for
31 depreciation purposes.

1 2. The provisions of this paragraph do not apply to
2 any vessel when used for transporting persons or goods for
3 compensation; when offered, let, or rented to another for
4 consideration; when offered for rent or hire as a means of
5 transportation for compensation; or when offered or used to
6 provide transportation for persons solicited through personal
7 contact or through advertisement on a "share expense" basis.

8 Section 2. Subsection (4) of section 212.11, Florida
9 Statutes, 1996 Supplement, is amended to read:

10 212.11 Tax returns and regulations.--

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

16 (b) The amount of any estimated tax shall be due,
17 payable, and remitted by electronic funds transfer by the 20th
18 day of the month for which it is estimated. The difference
19 between the amount of estimated tax paid and the actual amount
20 of tax due under this part for such month shall be due and
21 payable by the first day of the following month and remitted
22 by electronic funds transfer by the 20th day thereof.

23 (c) Any dealer who is eligible to file a consolidated
24 return and who paid the tax imposed by this part for the
25 immediately preceding state fiscal year in an amount greater
26 than or equal to \$100,000 or would have paid the tax in such
27 amount if he or she had filed a consolidated return shall be
28 subject to the provisions of this subsection notwithstanding
29 an election by the dealer in any month to file a separate
30 return.

31

1 (d) A dealer engaged in the business of selling boats,
2 motor vehicles, or aircraft who made at least one sale of a
3 boat, motor vehicle, or aircraft with a sales price of
4 \$100,000 or greater in the previous state fiscal year may
5 qualify for payment of estimated sales tax pursuant to the
6 provisions of this paragraph. To qualify, a dealer must apply
7 annually to the department prior to October 1, and, if
8 qualified, the department must grant the application for
9 payment of estimated sales tax pursuant to this paragraph for
10 the following calendar year. In lieu of the method for
11 calculating estimated sales tax liability pursuant to
12 subparagraph (1)(a)3., a qualified dealer must calculate that
13 option as 66 percent of the average tax liability pursuant to
14 this chapter for all sales excluding the sale of each boat,
15 motor vehicle, or aircraft with a sales price of \$100,000 or
16 greater during the state fiscal year ending the year in which
17 the application is made. A qualified dealer must also remit
18 the sales tax for each sale of a boat, motor vehicle, or
19 aircraft with a sales price of \$100,000 or greater by either
20 electronic funds transfer on the date of the sale or on a form
21 prescribed by the department and postmarked on the date of the
22 sale.

23 ~~(e)(d)~~ The penalty provisions of this part, except s.
24 212.12(2)(c), apply to the provisions of this subsection.

25 Section 3. Paragraph (o) of subsection (7) of section
26 212.08, Florida Statutes, 1996 Supplement, is amended, and
27 paragraph (nn) is added to that subsection, to read:

28 212.08 Sales, rental, use, consumption, distribution,
29 and storage tax; specified exemptions.--The sale at retail,
30 the rental, the use, the consumption, the distribution, and
31 the storage to be used or consumed in this state of the

1 following are hereby specifically exempt from the tax imposed
2 by this part.

3 (7) MISCELLANEOUS EXEMPTIONS.--

4 (o) Religious, charitable, scientific, educational,
5 and veterans' institutions and organizations.--

6 1. There are exempt from the tax imposed by this part
7 transactions involving:

8 a. Sales or leases directly to churches or sales or
9 leases of tangible personal property by churches;

10 b. Sales or leases to nonprofit religious, nonprofit
11 charitable, nonprofit scientific, or nonprofit educational
12 institutions when used in carrying on their customary
13 nonprofit religious, nonprofit charitable, nonprofit
14 scientific, or nonprofit educational activities, including
15 church cemeteries; and

16 c. Sales or leases to the state headquarters of
17 qualified veterans' organizations and the state headquarters
18 of their auxiliaries when used in carrying on their customary
19 veterans' organization activities. If a qualified veterans'
20 organization or its auxiliary does not maintain a permanent
21 state headquarters, then transactions involving sales or
22 leases to such organization and used to maintain the office of
23 the highest ranking state official are exempt from the tax
24 imposed by this part.

25 2. The provisions of this section authorizing
26 exemptions from tax shall be strictly defined, limited, and
27 applied in each category as follows:

28 a. "Religious institutions" means churches,
29 synagogues, and established physical places for worship at
30 which nonprofit religious services and activities are
31 regularly conducted and carried on. The term "religious

1 institutions" includes nonprofit corporations the sole purpose
2 of which is to provide free transportation services to church
3 members, their families, and other church attendees. The term
4 "religious institutions" also includes state, district, or
5 other governing or administrative offices the function of
6 which is to assist or regulate the customary activities of
7 religious organizations or members. The term "religious
8 institutions" also includes any nonprofit corporation which is
9 qualified as nonprofit pursuant to s. 501(c)(3), United States
10 Internal Revenue Code of 1986, as amended, which owns and
11 operates a Florida television station, at least 90 percent of
12 the programming of which station consists of programs of a
13 religious nature, and the financial support for which,
14 exclusive of receipts for broadcasting from other nonprofit
15 organizations, is predominantly from contributions from the
16 general public. The term "religious institutions" also
17 includes any nonprofit corporation which is qualified as
18 nonprofit pursuant to s. 501(c)(3), United States Internal
19 Revenue Code of 1986, as amended, which provides regular
20 religious services to Florida state prisoners and which from
21 its own established physical place of worship, operates a
22 ministry providing worship and services of a charitable nature
23 to the community on a weekly basis.

24 b. "Charitable institutions" means only nonprofit
25 corporations qualified as nonprofit pursuant to s. 501(c)(3),
26 United States Internal Revenue Code of 1954, as amended, and
27 other nonprofit entities, the sole or primary function of
28 which is to provide, or to raise funds for organizations which
29 provide, one or more of the following services if a reasonable
30 percentage of such service is provided free of charge, or at a
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1 substantially reduced cost, to persons, animals, or
2 organizations that are unable to pay for such service:
3 (I) Medical aid for the relief of disease, injury, or
4 disability;
5 (II) Regular provision of physical necessities such as
6 food, clothing, or shelter;
7 (III) Services for the prevention of or rehabilitation
8 of persons from alcoholism or drug abuse; the prevention of
9 suicide; or the alleviation of mental, physical, or sensory
10 health problems;
11 (IV) Social welfare services including adoption
12 placement, child care, community care for the elderly, and
13 other social welfare services which clearly and substantially
14 benefit a client population which is disadvantaged or suffers
15 a hardship;
16 (V) Medical research for the relief of disease,
17 injury, or disability;
18 (VI) Legal services; or
19 (VII) Food, shelter, or medical care for animals or
20 adoption services, cruelty investigations, or education
21 programs concerning animals;
22
23 and the term includes groups providing volunteer staff to
24 organizations designated as charitable institutions under this
25 sub-subparagraph; nonprofit organizations the sole or primary
26 purpose of which is to coordinate, network, or link other
27 institutions designated as charitable institutions under this
28 sub-subparagraph with those persons, animals, or organizations
29 in need of their services; and nonprofit national, state,
30 district, or other governing, coordinating, or administrative
31 organizations the sole or primary purpose of which is to

1 represent or regulate the customary activities of other
2 institutions designated as charitable institutions under this
3 sub-subparagraph. Notwithstanding any other requirement of
4 this section, any blood bank that relies solely upon volunteer
5 donations of blood and tissue, that is licensed under chapter
6 483, and that qualifies as tax exempt under s. 501(c)(3) of
7 the Internal Revenue Code constitutes a charitable institution
8 and is exempt from the tax imposed by this part.

9 c. "Scientific organizations" means scientific
10 organizations which hold current exemptions from federal
11 income tax under s. 501(c)(3) of the Internal Revenue Code and
12 also means organizations the purpose of which is to protect
13 air and water quality or the purpose of which is to protect
14 wildlife and which hold current exemptions from the federal
15 income tax under s. 501(c)(3) of the Internal Revenue Code.

16 d. "Educational institutions" means state
17 tax-supported or parochial, church and nonprofit private
18 schools, colleges, or universities which conduct regular
19 classes and courses of study required for accreditation by, or
20 membership in, the Southern Association of Colleges and
21 Schools, the Department of Education, the Florida Council of
22 Independent Schools, or the Florida Association of Christian
23 Colleges and Schools, Inc., or nonprofit private schools which
24 conduct regular classes and courses of study accepted for
25 continuing education credit by a Board of the Division of
26 Medical Quality Assurance of the Department of Business and
27 Professional Regulation or which conduct regular classes and
28 courses of study accepted for continuing education credit by
29 the American Medical Association. Nonprofit libraries, art
30 galleries, performing arts centers that provide educational
31 programs to school children, which programs involve

1 performances or other educational activities at the performing
2 arts center and serve a minimum of 50,000 school children a
3 year,and museums open to the public are defined as
4 educational institutions and are eligible for exemption. The
5 term "educational institutions" includes private nonprofit
6 organizations the purpose of which is to raise funds for
7 schools teaching grades kindergarten through high school,
8 colleges, and universities. The term "educational
9 institutions" includes any nonprofit newspaper of free or paid
10 circulation primarily on university or college campuses which
11 holds a current exemption from federal income tax under s.
12 501(c)(3) of the Internal Revenue Code, and any educational
13 television or radio network or system established pursuant to
14 s. 229.805 or s. 229.8051 and any nonprofit television or
15 radio station which is a part of such network or system and
16 which holds a current exemption from federal income tax under
17 s. 501(c)(3) of the Internal Revenue Code. The term
18 "educational institutions" also includes state, district, or
19 other governing or administrative offices the function of
20 which is to assist or regulate the customary activities of
21 educational organizations or members. The term "educational
22 institutions" also includes a nonprofit educational cable
23 consortium which holds a current exemption from federal income
24 tax under s. 501(c)(3) of the Internal Revenue Code of 1986,
25 as amended, whose primary purpose is the delivery of
26 educational and instructional cable television programming and
27 whose members are composed exclusively of educational
28 organizations which hold a valid consumer certificate of
29 exemption and which are either an educational institution as
30 defined in this sub-subparagraph, or qualified as a nonprofit
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1 organization pursuant to s. 501(c)(3) of the Internal Revenue
2 Code of 1986, as amended.

3 e. "Veterans' organizations" means nationally
4 chartered or recognized veterans' organizations, including,
5 but not limited to, Florida chapters of the Paralyzed Veterans
6 of America, Catholic War Veterans of the U.S.A., Jewish War
7 Veterans of the U.S.A., and the Disabled American Veterans,
8 Department of Florida, Inc., which hold current exemptions
9 from federal income tax under s. 501(c)(4) or (19) of the
10 Internal Revenue Code.

11 Section 4. Paragraph (a) of subsection (1) of section
12 212.031, Florida Statutes, 1996 Supplement, is amended to
13 read:

14 212.031 Lease or rental of or license in real
15 property.--

16 (1)(a) It is declared to be the legislative intent
17 that every person is exercising a taxable privilege who
18 engages in the business of renting, leasing, letting, or
19 granting a license for the use of any real property unless
20 such property is:

- 21 1. Assessed as agricultural property under s. 193.461.
- 22 2. Used exclusively as dwelling units.
- 23 3. Property subject to tax on parking, docking, or
24 storage spaces under s. 212.03(6).
- 25 4. Recreational property or the common elements of a
26 condominium when subject to a lease between the developer or
27 owner thereof and the condominium association in its own right
28 or as agent for the owners of individual condominium units or
29 the owners of individual condominium units. However, only the
30 lease payments on such property shall be exempt from the tax
31 imposed by this chapter, and any other use made by the owner

1 or the condominium association shall be fully taxable under
2 this chapter.

3 5. A public or private street or right-of-way occupied
4 or used by a utility for utility purposes.

5 6. A public street or road which is used for
6 transportation purposes.

7 7. Property used at an airport exclusively for the
8 purpose of aircraft landing or aircraft taxiing or property
9 used by an airline for the purpose of loading or unloading
10 passengers or property onto or from aircraft or for fueling
11 aircraft.

12 8.a. Property used at a port authority, as defined in
13 s. 315.02(2), exclusively for the purpose of oceangoing
14 vessels or tugs docking, or such vessels mooring on property
15 used by a port authority for the purpose of loading or
16 unloading passengers or cargo onto or from such a vessel, or
17 property used at a port authority for fueling such vessels, or
18 to the extent that the amount paid for the use of any property
19 at the port is based on the charge for the amount of tonnage
20 actually imported or exported through the port by a tenant.

21 b. The amount charged for the use of any property at
22 the port in excess of the amount charged for tonnage actually
23 imported or exported shall remain subject to tax except as
24 provided in sub-subparagraph a.

25 9. Property used as an integral part of the
26 performance of qualified production services. As used in this
27 subparagraph, the term "qualified production services" means
28 any activity or service performed directly in connection with
29 the production of a qualified motion picture, as defined in s.
30 212.06(1)(b), and includes:

31

1 a. Photography, sound and recording, casting, location
2 managing and scouting, shooting, creation of special and
3 optical effects, animation, adaptation (language, media,
4 electronic, or otherwise), technological modifications,
5 computer graphics, set and stage support (such as
6 electricians, lighting designers and operators, greensmen,
7 prop managers and assistants, and grips), wardrobe (design,
8 preparation, and management), hair and makeup (design,
9 production, and application), performing (such as acting,
10 dancing, and playing), designing and executing stunts,
11 coaching, consulting, writing, scoring, composing,
12 choreographing, script supervising, directing, producing,
13 transmitting dailies, dubbing, mixing, editing, cutting,
14 looping, printing, processing, duplicating, storing, and
15 distributing;

16 b. The design, planning, engineering, construction,
17 alteration, repair, and maintenance of real or personal
18 property including stages, sets, props, models, paintings, and
19 facilities principally required for the performance of those
20 services listed in sub-subparagraph a.; and

21 c. Property management services directly related to
22 property used in connection with the services described in
23 sub-subparagraphs a. and b.

24 10. Leased, subleased, or rented to a person providing
25 food and drink concessionaire services within the premises of
26 a movie theater, a business operated under a permit issued
27 pursuant to chapter 550, or any publicly owned arena, sports
28 stadium, convention hall, exhibition hall, auditorium, or
29 recreational facility. A person providing retail
30 concessionaire services involving the sale of food and drink
31 or other tangible personal property within the premises of an

1 airport shall be subject to tax on the rental of real property
2 used for that purpose, but shall not be subject to the tax on
3 any license to use the property. For purposes of this
4 subparagraph, the term "sale" shall not include the leasing of
5 tangible personal property.

6 11. Property occupied pursuant to an instrument
7 calling for payments which the department has declared, in a
8 Technical Assistance Advisement issued on or before March 15,
9 1993, to be nontaxable pursuant to rule 12A-1.070(19)(c),
10 Florida Administrative Code; provided that this subparagraph
11 shall only apply to property occupied by the same person
12 before and after the execution of the subject instrument and
13 only to those payments made pursuant to such instrument,
14 exclusive of renewals and extensions thereof occurring after
15 March 15, 1993.

16 Section 5. Paragraph (c) of subsection (5) of section
17 212.08, Florida Statutes, 1996 Supplement, is amended to read:

18 212.08 Sales, rental, use, consumption, distribution,
19 and storage tax; specified exemptions.--The sale at retail,
20 the rental, the use, the consumption, the distribution, and
21 the storage to be used or consumed in this state of the
22 following are hereby specifically exempt from the tax imposed
23 by this part.

24 (5) EXEMPTIONS; ACCOUNT OF USE.--

25 (c) Machinery and equipment used in production of
26 electrical or steam energy.--

27 1. The purchase of machinery and equipment for use at
28 a fixed location which ~~equipment and~~ machinery and equipment
29 are necessary in the production of electrical or steam energy
30 resulting from the burning of boiler fuels other than residual
31 oil is exempt from the tax imposed by this chapter. Such

1 electrical or steam energy must be primarily for use in
2 manufacturing, processing, compounding, or producing for sale
3 items of tangible personal property in this state. Use of a de
4 minimis amount of residual fuel to facilitate the burning of
5 nonresidual fuel shall not reduce the exemption otherwise
6 available under this paragraph.

7 2. In facilities where machinery and equipment are
8 necessary to burn both residual and nonresidual fuels, the
9 exemption shall be prorated. Such proration shall be based
10 upon the production of electrical or steam energy from
11 nonresidual fuels as a percentage of electrical or steam
12 energy from all fuels. Purchasers claiming a partial exemption
13 shall obtain such exemption by refund of taxes paid, or as
14 otherwise provided in the department's rules.

15 3. The department may adopt rules that provide for
16 implementation of this exemption. Purchasers of machinery and
17 equipment qualifying for the exemption provided in this
18 paragraph shall furnish the department with ~~However, the~~
19 ~~exemption provided for in this paragraph shall not be allowed~~
20 ~~unless the purchaser signs~~ an affidavit stating that the item
21 or items to be exempted are for the ~~exclusive~~ use designated
22 herein. Any person furnishing a false affidavit to the vendor
23 for the purpose of evading payment of any tax imposed under
24 this chapter shall be subject to the penalty set forth in s.
25 212.085 and as otherwise provided by law. Purchasers with
26 self-accrual authority shall maintain all documentation
27 necessary to prove the exempt status of purchases.

28 Section 6. Paragraph (o) of subsection (7) of section
29 212.08, Florida Statutes, 1996 Supplement, is amended to read:

30 212.08 Sales, rental, use, consumption, distribution,
31 and storage tax; specified exemptions.--The sale at retail,

1 the rental, the use, the consumption, the distribution, and
2 the storage to be used or consumed in this state of the
3 following are hereby specifically exempt from the tax imposed
4 by this part.

5 (7) MISCELLANEOUS EXEMPTIONS.--

6 (o) Religious, charitable, scientific, educational,
7 and veterans' institutions and organizations.--

8 1. There are exempt from the tax imposed by this part
9 transactions involving:

10 a. Sales or leases directly to churches or sales or
11 leases of tangible personal property by churches;

12 b. Sales or leases to nonprofit religious, nonprofit
13 charitable, nonprofit scientific, or nonprofit educational
14 institutions when used in carrying on their customary
15 nonprofit religious, nonprofit charitable, nonprofit
16 scientific, or nonprofit educational activities, including
17 church cemeteries; and

18 c. Sales or leases to the state headquarters of
19 qualified veterans' organizations and the state headquarters
20 of their auxiliaries when used in carrying on their customary
21 veterans' organization activities. If a qualified veterans'
22 organization or its auxiliary does not maintain a permanent
23 state headquarters, then transactions involving sales or
24 leases to such organization and used to maintain the office of
25 the highest ranking state official are exempt from the tax
26 imposed by this part.

27 2. The provisions of this section authorizing
28 exemptions from tax shall be strictly defined, limited, and
29 applied in each category as follows:

30 a. "Religious institutions" means churches,
31 synagogues, and established physical places for worship at

1 which nonprofit religious services and activities are
2 regularly conducted and carried on. The term "religious
3 institutions" includes nonprofit corporations the sole purpose
4 of which is to provide free transportation services to church
5 members, their families, and other church attendees. The term
6 "religious institutions" also includes state, district, or
7 other governing or administrative offices the function of
8 which is to assist or regulate the customary activities of
9 religious organizations or members. The term "religious
10 institutions" also includes any nonprofit corporation which is
11 qualified as nonprofit pursuant to s. 501(c)(3), United States
12 Internal Revenue Code of 1986, as amended, which owns and
13 operates a Florida television station, at least 90 percent of
14 the programming of which station consists of programs of a
15 religious nature, and the financial support for which,
16 exclusive of receipts for broadcasting from other nonprofit
17 organizations, is predominantly from contributions from the
18 general public. The term "religious institutions" also
19 includes any nonprofit corporation which is qualified as
20 nonprofit pursuant to s. 501(c)(3), United States Internal
21 Revenue Code of 1986, as amended, which provides regular
22 religious services to Florida state prisoners and which from
23 its own established physical place of worship, operates a
24 ministry providing worship and services of a charitable nature
25 to the community on a weekly basis.

26 b. "Charitable institutions" means only nonprofit
27 corporations qualified as nonprofit pursuant to s. 501(c)(3),
28 United States Internal Revenue Code of 1954, as amended, and
29 other nonprofit entities, the sole or primary function of
30 which is to provide, or to raise funds for organizations which
31 provide, one or more of the following services if a reasonable

1 percentage of such service is provided free of charge, or at a
2 substantially reduced cost, to persons, animals, or
3 organizations that are unable to pay for such service:

4 (I) Medical aid for the relief of disease, injury, or
5 disability;

6 (II) Regular provision of physical necessities such as
7 food, clothing, or shelter;

8 (III) Services for the prevention of or rehabilitation
9 of persons from alcoholism or drug abuse; the prevention of
10 suicide; or the alleviation of mental, physical, or sensory
11 health problems;

12 (IV) Social welfare services including adoption
13 placement, child care, community care for the elderly, and
14 other social welfare services which clearly and substantially
15 benefit a client population which is disadvantaged or suffers
16 a hardship;

17 (V) Medical research for the relief of disease,
18 injury, or disability;

19 (VI) Legal services; or

20 (VII) Food, shelter, or medical care for animals or
21 adoption services, cruelty investigations, or education
22 programs concerning animals;

23
24 and the term includes groups providing volunteer staff to
25 organizations designated as charitable institutions under this
26 sub-subparagraph; nonprofit organizations the sole or primary
27 purpose of which is to coordinate, network, or link other
28 institutions designated as charitable institutions under this
29 sub-subparagraph with those persons, animals, or organizations
30 in need of their services; and nonprofit national, state,
31 district, or other governing, coordinating, or administrative

1 organizations the sole or primary purpose of which is to
2 represent or regulate the customary activities of other
3 institutions designated as charitable institutions under this
4 sub-subparagraph. Notwithstanding any other requirement of
5 this section, any blood bank that relies solely upon volunteer
6 donations of blood and tissue, that is licensed under chapter
7 483, and that qualifies as tax exempt under s. 501(c)(3) of
8 the Internal Revenue Code constitutes a charitable institution
9 and is exempt from the tax imposed by this part. Sales to a
10 health system, qualified as nonprofit pursuant to s.
11 501(c)(3), United States Internal Revenue Code of 1986, as
12 amended, which filed an application for exemption with the
13 department prior to April 5, 1997, and which application is
14 subsequently approved, shall be exempt as to any unpaid taxes
15 on purchases made from January 1, 1994, to June 1, 1997.

16 c. "Scientific organizations" means scientific
17 organizations which hold current exemptions from federal
18 income tax under s. 501(c)(3) of the Internal Revenue Code and
19 also means organizations the purpose of which is to protect
20 air and water quality or the purpose of which is to protect
21 wildlife and which hold current exemptions from the federal
22 income tax under s. 501(c)(3) of the Internal Revenue Code.

23 d. "Educational institutions" means state
24 tax-supported or parochial, church and nonprofit private
25 schools, colleges, or universities which conduct regular
26 classes and courses of study required for accreditation by, or
27 membership in, the Southern Association of Colleges and
28 Schools, the Department of Education, the Florida Council of
29 Independent Schools, or the Florida Association of Christian
30 Colleges and Schools, Inc., or nonprofit private schools which
31 conduct regular classes and courses of study accepted for

1 continuing education credit by a Board of the Division of
2 Medical Quality Assurance of the Department of Business and
3 Professional Regulation or which conduct regular classes and
4 courses of study accepted for continuing education credit by
5 the American Medical Association. Nonprofit libraries, art
6 galleries, and museums open to the public are defined as
7 educational institutions and are eligible for exemption. The
8 term "educational institutions" includes private nonprofit
9 organizations the purpose of which is to raise funds for
10 schools teaching grades kindergarten through high school,
11 colleges, and universities. The term "educational
12 institutions" includes any nonprofit newspaper of free or paid
13 circulation primarily on university or college campuses which
14 holds a current exemption from federal income tax under s.
15 501(c)(3) of the Internal Revenue Code, and any educational
16 television or radio network or system established pursuant to
17 s. 229.805 or s. 229.8051 and any nonprofit television or
18 radio station which is a part of such network or system and
19 which holds a current exemption from federal income tax under
20 s. 501(c)(3) of the Internal Revenue Code. The term
21 "educational institutions" also includes state, district, or
22 other governing or administrative offices the function of
23 which is to assist or regulate the customary activities of
24 educational organizations or members. The term "educational
25 institutions" also includes a nonprofit educational cable
26 consortium which holds a current exemption from federal income
27 tax under s. 501(c)(3) of the Internal Revenue Code of 1986,
28 as amended, whose primary purpose is the delivery of
29 educational and instructional cable television programming and
30 whose members are composed exclusively of educational
31 organizations which hold a valid consumer certificate of

1 exemption and which are either an educational institution as
2 defined in this sub-subparagraph, or qualified as a nonprofit
3 organization pursuant to s. 501(c)(3) of the Internal Revenue
4 Code of 1986, as amended.

5 e. "Veterans' organizations" means nationally
6 chartered or recognized veterans' organizations, including,
7 but not limited to, Florida chapters of the Paralyzed Veterans
8 of America, Catholic War Veterans of the U.S.A., Jewish War
9 Veterans of the U.S.A., and the Disabled American Veterans,
10 Department of Florida, Inc., which hold current exemptions
11 from federal income tax under s. 501(c)(4) or (19) of the
12 Internal Revenue Code.

13 Section 7. Paragraph (mm) is added to subsection (7)
14 of section 212.08, Florida Statutes, 1996 Supplement, to read:
15 212.08 Sales, rental, use, consumption, distribution, and
16 storage tax; specified exemptions.--The sale at retail, the
17 rental, the use, the consumption, the distribution, and the
18 storage to be used or consumed in this state of the following
19 are hereby specifically exempt from the tax imposed by this
20 part.

21 (7) MISCELLANEOUS EXEMPTIONS.--

22 (mm) Nonprofit cooperative hospital
23 laundries.--Nonprofit organizations that are incorporated
24 under chapter 617 and which are treated, for federal income
25 tax purposes, as cooperatives under subchapter T of the
26 Internal Revenue Code, whose sole purpose is to offer laundry
27 supplies and services to their members, which members must all
28 be exempt from federal income tax pursuant to section
29 501(c)(3) of the Internal Revenue Code, are exempt from the
30 tax imposed by this chapter.

31 Section 8. This act shall take effect July 1, 1997.