

By the Committee on Ways and Means and Senators Harris, Ostalkiewicz, Bronson, Williams and Thomas

301-1978-98

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; providing that changes made in this
13 act shall take precedence over changes made in
14 similar bills; providing an effective date.

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

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18 Section 1. Subsections (27), (28), (29), and (30) are
19 added to section 212.02, Florida Statutes, to read:

20 212.02 Definitions.--The following terms and phrases
21 when used in this chapter have the meanings ascribed to them
22 in this section, except where the context clearly indicates a
23 different meaning:

24 (27) "Self-propelled farm equipment" means equipment
25 that contains within itself the means for its own propulsion,
26 including, but not limited to, tractors.

27 (28) "Power-drawn farm equipment" means equipment that
28 is pulled, dragged, or otherwise attached to self-propelled
29 equipment, including, but not limited to, disks, harrows, hay
30 balers, and mowers.

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

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

9 Section 2. Subsection (3) of section 212.08, Florida
10 Statutes, is amended to read:

11 212.08 Sales, rental, use, consumption, distribution,
12 and storage tax; specified exemptions.--The sale at retail,
13 the rental, the use, the consumption, the distribution, and
14 the storage to be used or consumed in this state of the
15 following are hereby specifically exempt from the tax imposed
16 by this chapter.

17 (3) EXEMPTIONS, PARTIAL; CERTAIN FARM
18 EQUIPMENT.--There shall be taxable at the rate of 3 percent
19 the sale, use, consumption, or storage for use in this state
20 of self-propelled,or power-drawn, or power-driven farm
21 equipment used exclusively on a farm or in a forest ~~by a~~
22 ~~farmer on a farm owned, leased, or sharecropped by the farmer~~
23 in plowing, planting, cultivating, or harvesting crops or
24 products as produced by those agricultural industries included
25 in s. 570.02(1), or for fire prevention and suppression work
26 with respect to such crops or products. Harvesting may not be
27 construed to include processing activities. This exemption is
28 not forfeited by moving farm equipment between farms or
29 forests.The rental of self-propelled,or power-drawn, or
30 power-driven farm equipment shall be taxed at the rate of 3 6
31 percent.

1 Section 3. If full effect, as provided in section
2 1.04, Florida Statutes, cannot be given to the amendments to
3 section 212.08(3), Florida Statutes, contained in this act and
4 those contained in SB 1696 or similar legislation, the
5 amendments contained in this act shall take precedence.

6 Section 4. This act shall take effect October 1, 1998.

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8 STATEMENT OF SUBSTANTIAL CHANGES CONTAINED IN
9 COMMITTEE SUBSTITUTE FOR
10 SB 984

11 The Committee Substitute provides that in the event that full
12 effect, as provided in s. 1.04, F.S., cannot be given to the
13 amendments to s. 212.08(3), F.S., contained in this act and
14 those contained in SB 1696 or similar legislation, the
15 amendments contained in this act shall take precedence.