20-845A-99

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A bill to be entitled

An act relating to the tax on sales, use, and other transactions; amending s. 212.17, F.S.; describing circumstances in which a dealer who has paid the tax imposed by this chapter on tangible personal property or services may take a credit or obtain a refund for tax paid on the unpaid balance due on worthless accounts; providing legislative intent; providing an effective date.

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

Section 1. Subsection (3) of section 212.17, Florida Statutes, 1998 Supplement, is amended to read:

212.17 Credits for returned goods, rentals, or admissions; goods acquired for dealer's own use and subsequently resold; additional powers of department.--

chapter on tangible personal property or services may take a credit or obtain a refund for any tax paid by the dealer on the unpaid balance due on worthless accounts within 12 months following the month in which the bad debt has been charged off for federal income tax purposes by the dealer or by the person who owns the retail account pursuant to a private-label credit card agreement with the dealer. If any accounts so charged off for which a credit or refund has been obtained are thereafter in whole or in part paid to the dealer, the amount so paid shall be included in the first return filed after such collection and the tax paid accordingly.

Section 2. It is the intent of the Legislature that the amendment to section 212.17(3), Florida Statutes, 1998 Supplement, which is made by section 1 of this act, clarifies and confirms existing law with respect to refunds and credits allowable under that subsection. Section 3. This act shall take effect upon becoming a law. SENATE SUMMARY Provides that a dealer who has paid the tax imposed by ch. 212, F.S., on tangible personal property or services may take a credit or obtain a refund for any tax paid by the dealer on the unpaid balance due on worthless accounts within 12 months after the bad debt has been charged off for federal income tax purposes by the dealer or by a person who owns the retail account under a private-label credit card agreement with the dealer. Provides that the Legislature intends this amendment to clarify and confirm existing law.