

By Representative Mack

1 A bill to be entitled
2 An act relating to corporate income tax;
3 creating s. 220.187, F.S.; providing a credit
4 against the tax for businesses that donate
5 qualified computer equipment to a public
6 elementary or secondary school, community
7 college, area technical center, or university;
8 providing for determination of the amount of
9 the credit; providing duties of the Department
10 of Education; providing for rules; amending s.
11 220.02, F.S.; providing for order of credits
12 against the tax; providing an effective date.

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

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16 Section 1. Section 220.187, Florida Statutes, is
17 created to read:

18 220.187 Credit for donation of qualified computer
19 equipment.--

20 (1) There shall be allowed a credit against the tax
21 imposed by this chapter to any business which donates
22 qualified computer equipment to any public elementary or
23 secondary school, community college, area technical center, or
24 university within the state.

25 (2) The amount of the credit shall be based on the age
26 of the equipment as follows:

27 (a) If the equipment is 1 year old or less, the amount
28 of the credit shall be equal to 50 percent of the purchase
29 price of the equipment paid by the business, not to exceed
30 \$300.

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1 (b) If the equipment is more than 1 year old but less
2 than 2 years old, the amount of the credit shall be equal to
3 40 percent of the purchase price of the equipment paid by the
4 business, not to exceed \$200.

5 (c) If the equipment is 2 years old or older, the
6 amount of the credit shall be equal to 30 percent of the
7 purchase price of the equipment paid by the business, not to
8 exceed \$100.

9 (3) The Department of Education shall distribute the
10 donated equipment to public elementary or secondary schools,
11 community colleges, area technical centers, and universities
12 within the state, with preferences given to those recipients
13 specifically identified by the donor.

14 (4) The Department of Education has authority to adopt
15 rules to implement the provisions of this section, including
16 rules relating to receiving and distributing equipment and
17 determining the age and purchase price of the equipment.

18 (5) If any credit granted pursuant to this section is
19 not fully used in the first year for which it becomes
20 available, the unused amount may not be carried forward. Any
21 credit granted pursuant to this section may be conveyed,
22 assigned, or transferred to another entity if all of the
23 assets of the taxpayer are conveyed, assigned, or transferred
24 in the same transaction.

25 (6) The Department of Revenue has authority to adopt
26 rules to implement the provisions of this section.

27 Section 2. Subsection (8) of section 220.02, Florida
28 Statutes, is amended to read:

29 220.02 Legislative intent.--

30 (8) It is the intent of the Legislature that credits
31 against either the corporate income tax or the franchise tax

1 be applied in the following order: those enumerated in s.
2 631.828, those enumerated in s. 220.191, those enumerated in
3 s. 220.181, those enumerated in s. 220.183, those enumerated
4 in s. 220.182, those enumerated in s. 220.1895, those
5 enumerated in s. 221.02, those enumerated in s. 220.184, those
6 enumerated in s. 220.186, those enumerated in s. 220.1845,
7 those enumerated in s. 220.19, ~~and~~ those enumerated in s.
8 220.185, and those enumerated in s. 220.187.

9 Section 3. This act shall take effect January 1, 2002.

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HOUSE SUMMARY

Provides a credit against the corporate income tax for businesses that donate qualified computer equipment to a public elementary or secondary school, community college, area technical center, or university. Provides for determination of the amount of the credit. Provides duties of the Department of Education.