

hbd-032

Bill No. HB 1961, 1st Eng.

Amendment No. ____ (for drafter's use only)

	<u>Senate</u>	CHAMBER ACTION	<u>House</u>
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ORIGINAL STAMP BELOW

11 Representative(s) Wallace offered the following:

Amendment (with title amendment)

14 On page 2, line 10, through page 4, line 14,
15 remove from the amendment: all of said lines,

17 and insert in lieu thereof:

18 (b) Machinery and equipment used to increase
19 productive output.--

20 1. Industrial machinery and equipment purchased for
21 exclusive use by a new business in spaceport activities as
22 defined by s. 212.02 or for use in new businesses which
23 manufacture, process, compound, or produce for sale items of
24 tangible personal property at fixed locations are exempt from
25 the tax imposed by this chapter upon an affirmative showing by
26 the taxpayer to the satisfaction of the department that such
27 items are used in a new business in this state. Such purchases
28 must be made prior to the date the business first begins its
29 productive operations, and delivery of the purchased item must
30 be made within 12 months of that date.

31 2.a. Industrial machinery and equipment purchased for

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1 exclusive use by an expanding facility which is engaged in
2 spaceport activities as defined by s. 212.02 or for use in
3 expanding manufacturing facilities or plant units which
4 manufacture, process, compound, or produce for sale items of
5 tangible personal property at fixed locations in this state
6 are exempt from any amount of tax imposed by this chapter in
7 excess of \$40,000~~\$50,000~~ per calendar year upon an
8 affirmative showing by the taxpayer to the satisfaction of the
9 department that such items are used to increase the productive
10 output of such expanded facility or business by not less than
11 10 percent.

12 b. Notwithstanding any other provision of this
13 section, industrial machinery and equipment purchased for use
14 in expanding printing manufacturing facilities or plant units
15 that manufacture, process, compound, or produce for sale items
16 of tangible personal property at fixed locations in this state
17 are exempt from any amount of tax imposed by this chapter upon
18 an affirmative showing by the taxpayer to the satisfaction of
19 the department that such items are used to increase the
20 productive output of such an expanded business by not less
21 than 10 percent.

22 3.a. To receive an exemption provided by subparagraph
23 1. or subparagraph 2., a qualifying business entity shall
24 apply to the department for a temporary tax exemption permit.
25 The application shall state that a new business exemption or
26 expanded business exemption is being sought. Upon a tentative
27 affirmative determination by the department pursuant to
28 subparagraph 1. or subparagraph 2., the department shall issue
29 such permit.

30 b. The applicant shall be required to maintain all
31 necessary books and records to support the exemption. Upon

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1 completion of purchases of qualified machinery and equipment
2 pursuant to subparagraph 1. or subparagraph 2., the temporary
3 tax permit shall be delivered to the department or returned to
4 the department by certified or registered mail.

5 c. If, in a subsequent audit conducted by the
6 department, it is determined that the machinery and equipment
7 purchased as exempt under subparagraph 1. or subparagraph 2.
8 did not meet the criteria mandated by this paragraph or if
9 commencement of production did not occur, the amount of taxes
10 exempted at the time of purchase shall immediately be due and
11 payable to the department by the business entity, together
12 with the appropriate interest and penalty, computed from the
13 date of purchase, in the manner prescribed by this chapter.

14 d. In the event a qualifying business entity fails to
15 apply for a temporary exemption permit or if the tentative
16 determination by the department required to obtain a temporary
17 exemption permit is negative, a qualifying business entity
18 shall receive the exemption provided in subparagraph 1. or
19 subparagraph 2. through a refund of previously paid taxes. No
20 refund may be made for such taxes unless the criteria mandated
21 by subparagraph 1. or subparagraph 2. have been met and
22 commencement of production has occurred.

23
24
25 ===== T I T L E A M E N D M E N T =====

26 And the title is amended as follows:

27 On page 1, lines 10-13,
28 remove: all of said lines,

29
30 and insert in lieu thereof:

31 reducing the maximum amount of the tax which is

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imposed on industrial machinery and