

By Senator Silver

38-1257-01

1 A bill to be entitled
 2 An act relating to the corporate income tax;
 3 creating s. 220.17, F.S.; providing for a
 4 credit against the tax for a taxpayer that
 5 provides its employees with long-term-care
 6 insurance coverage; defining terms; amending s.
 7 220.02, F.S.; providing for the order in which
 8 credits are to be applied; providing
 9 retroactive applicability; providing an
 10 effective date.

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

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14 Section 1. Section 220.17, Florida Statutes, is
15 created to read:

16 220.17 Long-term-care insurance coverage tax credit.--

17 (1) A credit against the tax imposed by this chapter
 18 shall be allowed to a taxpayer that provides long-term-care
 19 insurance coverage for the taxpayer's employees. The amount of
 20 the credit shall be equal to 25 percent of the cost of
 21 providing the coverage. The amount of the credit claimed in an
 22 accounting year in which the cost is incurred may not exceed
 23 50 percent of the tax liability otherwise due that year.

24 (2) As used in this section, the term:

25 (a) "Cost of providing the coverage" means the cost of
 26 premiums incurred by the taxpayer for the purchase of a
 27 long-term-care policy or policies for employees.

28 (b) "Long-term-care insurance coverage" means a group
 29 or individual insurance policy, or portion thereof, which
 30 provides benefits for a period of not less than 12 months for
 31 each person covered under the policy on an expense-incurred,

1 indemnity, or annuity basis, or a combination thereof, for
2 necessary diagnostic, preventive, therapeutic, or custodial
3 services in a setting other than an acute-care unit of a
4 hospital. Long-term-care services may include, but are not
5 limited to, nursing home care, home health care, assisted
6 living residence care, alternative family living care, or
7 another similar type of community-based care for which
8 long-term-care insurance coverage is available.

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

11 220.02 Legislative intent.--

12 (8) It is the intent of the Legislature that credits
13 against either the corporate income tax or the franchise tax
14 be applied in the following order: those enumerated in s.
15 631.828, those enumerated in s. 220.191, those enumerated in
16 s. 220.181, those enumerated in s. 220.183, those enumerated
17 in s. 220.182, those enumerated in s. 220.1895, those
18 enumerated in s. 221.02, those enumerated in s. 220.184, those
19 enumerated in s. 220.186, those enumerated in s. 220.1845,
20 those enumerated in s. 220.19, ~~and~~ those enumerated in s.
21 220.185, and those enumerated in s. 220.17.

22 Section 3. This act shall take effect January 1, 2002,
23 and shall apply to any tax year beginning after December 31,
24 2000.

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27 SENATE SUMMARY

28 Provides for a credit against the corporate income tax
29 for a taxpayer that provides its employees with
30 long-term-care insurance coverage. Defines terms.
31 Provides for the order in which various credits against
 the tax are to be applied. Provides for applicability to
 any tax year beginning after December 31, 2000.