

By Senator Cowin

11-806-02

See HB

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A bill to be entitled

An act relating to a national sales tax holiday; providing a definition; providing for exemptions from the tax on sales, use, and other transactions imposed under ch. 212, F.S., in accordance with federal legislation which provides for reimbursement to the states for the loss of revenue from exemptions for sales that take place during a specified period; providing duties of the Governor and the executive director of the Department of Revenue; providing for emergency rules; providing for expiration; providing an effective date.

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

Section 1. Participation in national sales tax holiday.--

(1) As used in this section, the term "federal sales tax holiday act" means federal legislation which provides for 100 percent reimbursement from the Federal Government to the states for the loss of revenue from a tax exemption for sales that take place during a period of time specified in the federal legislation, and which also provides for reimbursement for administrative costs incurred by the states in implementing such sales tax exemption.

(2) There shall be exempt from the tax on sales, use, and other transactions imposed under chapter 212, Florida Statutes, those items of tangible personal property or other transactions which are exempted under the federal sales tax

1 holiday act, for the period of time specified in that act, if
2 the Governor notifies the United States Secretary of the
3 Treasury of Florida's intention to qualify for reimbursement
4 for such exemption under subsection (4). These exemptions
5 shall be applied in the manner specified in the federal sales
6 tax holiday act.

7 (3) All dealers registered under chapter 212, Florida
8 Statutes, shall report sales subject to exemption under this
9 section in accordance with the requirements of said chapter
10 and rules adopted by the Department of Revenue.

11 (4) Not later than the date specified in the federal
12 sales tax holiday act, the Governor shall notify the United
13 States Secretary of the Treasury in writing of Florida's
14 intention to qualify for reimbursement under that act by not
15 collecting applicable taxes on sales, use, and other
16 transactions under chapter 212, Florida Statutes, during the
17 sales tax holiday period specified in that act. However, if
18 the executive director of the Department of Revenue determines
19 that it is not feasible to administer the sales tax holiday as
20 specified in the federal sales tax holiday act, he or she
21 shall notify the Governor and the Governor may decline to so
22 notify the United States Secretary of the Treasury.

23 (5) The executive director of the Department of
24 Revenue is authorized to adopt emergency rules under sections
25 120.536(1) and 120.54, Florida Statutes, to implement this
26 section.

27 (6) This section expires on January 31, 2002.

28 Section 2. This act shall take effect upon becoming a
29 law.
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LEGISLATIVE SUMMARY

Provides for participation by the State of Florida in a national sales tax holiday if federal legislation is adopted which provides for reimbursement to the states for revenue lost from sales tax exemptions on sales that take place during a period of time specified in the federal legislation.