Florida Senate - 2002

By Senator Pruitt

27-175A-02 A bill to be entitled 1 2 An act relating to corporate income tax; 3 amending s. 220.15, F.S., which provides for apportionment of adjusted federal income to 4 5 this state; revising the conditions for determining when sales of tangible personal б 7 property occur in this state for certain 8 industries; providing for retroactive effect; 9 providing an effective date. 10 11 Be It Enacted by the Legislature of the State of Florida: 12 13 Section 1. Paragraph (b) of subsection (5) of section 220.15, Florida Statutes, is amended to read: 14 15 220.15 Apportionment of adjusted federal income. --16 (5) The sales factor is a fraction the numerator of which is the total sales of the taxpayer in this state during 17 18 the taxable year or period and the denominator of which is the 19 total sales of the taxpayer everywhere during the taxable year 20 or period. (b)1. Sales of tangible personal property occur in 21 22 this state if the property is delivered or shipped to a 23 purchaser within this state, regardless of the f.o.b. point, 24 other conditions of the sale, or ultimate destination of the 25 property, unless shipment is made via a common or contract 26 carrier. However, for industries in SIC Industry Number 2037, 27 if the ultimate destination of the product is to a location outside this state, regardless of the method of shipment or 28 29 f.o.b. point, the sale shall not be deemed to occur in this 30 state. 31

1

CODING: Words stricken are deletions; words underlined are additions.

Florida Senate - 2002 27-175A-02

_	
1	2. When citrus fruit is delivered by a cooperative for
2	a grower-member, by a grower-member to a cooperative, or by a
3	grower-participant to a Florida processor, the sales factor
4	for the growers for such citrus fruit delivered to such
5	processor shall be the same as the sales factor for the most
6	recent taxable year of that processor. That sales factor,
7	expressed only as a percentage and not in terms of the dollar
8	volume of sales, so as to protect the confidentiality of the
9	sales of the processor, shall be furnished on the request of
10	such a grower promptly after it has been determined for that
11	taxable year.
12	3. Reimbursement of expenses under an agency contract
13	between a cooperative, a grower-member of a cooperative, or a
14	grower and a processor is not a sale within this state.
15	Section 2. This act shall take effect upon becoming a
16	law and shall apply to tax years beginning on or after January
17	1, 2002.
18	
19	* * * * * * * * * * * * * * * * * * * *
20	LEGISLATIVE SUMMARY
21	Ter surraged of essentianment of foderel indere for
22	determining when sales of tangible personal property occur in this state for industries in SIC Industry Number 2037 (canning fruits, vegetables, tomato sauces, and
23	
24	
25	
26	
27	
28	
29	
30	
31	
	2

CODING:Words stricken are deletions; words <u>underlined</u> are additions.