

By Senator Cowin

11-854-02

1                                   A bill to be entitled  
2           An act relating to a national sales tax  
3           holiday; providing a definition; providing for  
4           exemptions from the tax on sales, use, and  
5           other transactions imposed under ch. 212, F.S.,  
6           in accordance with federal legislation which  
7           provides for reimbursement to the states for  
8           the loss of revenue from exemptions for sales  
9           that take place during a specified period;  
10          providing duties of the Governor and the  
11          executive director of the Department of  
12          Revenue; providing for emergency rules;  
13          providing for expiration; providing an  
14          effective date.

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

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

20           (1) As used in this section, the term "federal sales  
21 tax holiday act" means federal legislation which provides for  
22 100 percent reimbursement from the Federal Government to the  
23 states for the loss of revenue from a tax exemption for sales  
24 that take place during a period of time specified in the  
25 federal legislation, and which also provides for reimbursement  
26 for administrative costs incurred by the states in  
27 implementing such sales tax exemption.

28           (2) There shall be exempt from the tax on sales, use,  
29 and other transactions imposed under chapter 212, Florida  
30 Statutes, those items of tangible personal property or other  
31 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 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.