

By Senator Alexander

17-282-04

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A bill to be entitled
An act relating to the Department of Citrus;
amending s. 601.155, F.S.; requiring the
department to develop a process for persons
liable for the equalizing excise tax to elect
to not pay a portion of the tax; providing for
the dismissal of certain claims; providing an
effective date.

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

Section 1. Present subsections (10) and (11) of
section 601.155, Florida Statutes, are redesignated as
subsections (11) and (12), respectively, and a new subsection
(10) is added to that section, to read:

601.155 Equalizing excise tax; credit; exemption.--
(10) Notwithstanding any other provision of law, the
Department of Citrus shall develop a process by which any
person liable for the excise tax imposed under this section
may annually object to payment of the tax. Any such objection
must be allowed without discretion as to the validity thereof
and that person shall be granted the immediate right to elect
not to pay two-thirds of the applicable tax rate. Effective
July 1, 2004, upon any necessary legislative appropriation of
moneys due under the settlement agreement of Consolidated Case
No. 2002-CA-4686 in the Circuit Court of the Tenth Judicial
Circuit in Polk County, the plaintiffs shall agree to the
dismissal of their claim under the foreign commerce clause
with prejudice.

Section 2. This act shall take effect July 1, 2004.

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SENATE SUMMARY

Provides for persons liable for payment of the equalizing excise tax under the Florida Citrus Code to elect to not pay two-thirds of that tax each year.