

By the Committee on Government Efficiency Appropriations; and
Senator Campbell

593-1902-05

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A bill to be entitled

An act relating to limitations on claims for
refund of corporate income tax; amending s.
220.727, F.S.; revising provisions for
determining when a payment of estimated tax is
deemed paid for purposes of time limitations
for refund claims; providing for retroactive
application; providing an effective date.

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

Section 1. Paragraph (b) of subsection (1) of section
220.727, Florida Statutes, is amended to read:

220.727 Limitations on claims for refund.--

(1) Except as otherwise provided in this section:

(b) For purposes of this subsection, payments of
estimated tax shall be deemed paid ~~either at the time the
taxpayer files its return under this code or~~ at the time such
return is required to be filed under this code, determined
with ~~without~~ regard to any extensions of time allowed to the
taxpayer under s. 213.055(2) or s. 220.222 for filing such
return extension thereof, whichever occurs first, and not at
such earlier time as such payments of estimated tax were
actually made. This paragraph shall apply retroactively to tax
years beginning on or after January 1, 2001.

Section 2. This act shall take effect July 1, 2005.

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STATEMENT OF SUBSTANTIAL CHANGES CONTAINED IN
COMMITTEE SUBSTITUTE FOR
SB 1300

The committee substitute conforms the statute of limitations for refunds to the statute of limitations for assessments, and applies to tax years beginning on or after January 1, 2001.