

Bill No. CS for SB's 528, 530 & 858

Barcode 351872

	CHAMBER ACTION	
<u>Senate</u>		<u>House</u>

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The Committee on Commerce and Consumer Services (Klein)
recommended the following amendment:

Senate Amendment (with title amendment)

On page 2, between lines 12 and 13,

insert:

Section 1. Section 212.099, Florida Statutes, is
created to read:

212.099 Florida Disaster Motor Fuel Supplier Program
Tax Credit Program.--

(1) Any retail dealer of motor fuel that has chosen to
participate in the Florida Disaster Motor Fuel Supplier
Program within the Department of Community Affairs, may
receive a credit of up to 25 percent against the tax remitted
under this chapter, not to exceed \$2,000, of the value of the
cost to install appropriate wiring and transfer switches
required to meet certification requirements established by the
Division of Emergency Management of the Department of
Community Affairs or by the director of the county emergency
management agency. In addition, the retail dealer may receive

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1 a credit of up to 25 percent against the tax remitted under
2 this chapter, not to exceed \$12,500, of the value of the
3 purchase of a generator, permanently affixed to the site,
4 required to meet these certification requirements.

5 (a) An application for the credit must be filed with
6 the Division of Emergency Management to determine whether the
7 purchase and installation of the generator meet certification
8 requirements established by the Division of Emergency
9 Management or by the director of the county emergency
10 management agency. The application for credit shall be
11 developed by the Division of Emergency Management in
12 consultation with the Department of Revenue.

13 (b) The application, attested to under oath, must
14 include a sworn statement, under penalty of perjury, that the
15 credit is for the purpose of purchasing and installing wiring
16 and transfer switches or for purchasing a generator to comply
17 with the provision of the Florida Disaster Motor Fuel Supplier
18 Program to serve as an alternate power source to pump motor
19 and other fuels described in Chapter 206, F.S. during an
20 electrical power outage in a county subject to an emergency as
21 defined by s. 252.34, F.S., which has been declared by the
22 Governor pursuant to s. 252.36, F.S., or declared by law.

23 (c) Within 10 working days after receipt of a
24 completed application, the Division of Emergency Management
25 will inform the applicant that the application has either been
26 approved or denied and the amount of the approved credit.

27 (d) Within 10 working days after approving an
28 application, the Division of Emergency Management shall
29 forward the amount of the approved credit and the prescribed
30 information to properly establish the retail dealer's credit
31 information to the Department of Revenue.

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1 (e) Within 30 days after receipt of the approved
2 amount of the credit and the prescribed information to
3 properly establish the retail dealer's credit information from
4 the Division of Emergency Management, the Department of
5 Revenue will notify the retail dealer of any amount of credit
6 the retail dealer is allowed and how the credit may be taken
7 by the dealer.

8 (2) Any person who knowingly and willfully gives false
9 information for the purpose of claiming reimbursement under
10 this section commits a misdemeanor of the first degree,
11 punishable as provided in section 775.082, F.S., or by fine
12 not exceeding \$5,000, or both.

13 (3) The department may adopt rules to establish
14 guidelines as to the requisites for an affirmative showing of
15 qualification for the credit under this section.

16
17 (Redesignate subsequent sections.)

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20 ===== T I T L E A M E N D M E N T =====

21 And the title is amended as follows:

22 On page 1, line 2, after the semicolon

23

24 insert:

25 creating s. 212.099, F.S.; providing a sales
26 tax credit for equipment and installation costs
27 to retail dealers of motor fuel that
28 participate in the Florida Disaster Motor Fuel
29 Supplier Program;

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