

1 A bill to be entitled
 2 An act relating to payment card transaction exactions;
 3 amending s. 212.17, F.S.; authorizing certain dealers to
 4 take a credit for taxes paid on the percentage of tax not
 5 reimbursed to the dealer as a result of issuer fees or
 6 deductions; specifying conditions and the amount of the
 7 credit; providing a return requirement; exempting locally
 8 imposed and self-administered convention development
 9 taxes, tourist development taxes, or tourist impact taxes;
 10 providing an effective date.

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

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 14 Section 1. Subsections (4) through (7) of section 212.17,
 15 Florida Statutes, are renumbered as subsections (5) through (8),
 16 respectively, and a new subsection (4) is added to that section
 17 to read:

18 212.17 Credits for returned goods, rentals, or admissions;
 19 goods acquired for dealer's own use and subsequently resold;
 20 additional powers of department.--

21 (4) (a) A dealer that has paid the tax imposed by this
 22 chapter may take a credit on its sales and use tax return for
 23 the tax paid by the dealer on the percentage of tax not
 24 reimbursed due to any fee charged or deducted from a payment
 25 card sale to the dealer by an issuer of a payment card for
 26 processing the payment card transaction. The credit shall be
 27 equal to the percentage of the payment card fee multiplied by
 28 the amount of tax of each payment card transaction. The amount

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29 of the credit is limited to the amount owed on that tax return
30 and shall not be carried forward. A dealer may only obtain a
31 credit and may not apply for a refund.

32 (b) This subsection applies to all taxes, surtaxes, and
33 any local option taxes administered under this chapter and
34 remitted directly to the department. This subsection does not
35 apply to any locally imposed and self-administered convention
36 development tax, tourist development tax, or tourist impact tax
37 administered under this chapter.

38 Section 2. This act shall take effect July 1, 2007.