

By Senator Baker

20-03364-08

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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 the  
23 tax paid by the dealer on the percentage of tax not reimbursed  
24 due to any fee charged or deducted from a payment card sale to  
25 the dealer by an issuer of a payment card for processing the  
26 payment card transaction. The credit shall be equal to the  
27 percentage of the payment card fee multiplied by the amount of  
28 tax of each payment card transaction. The amount of the credit is  
29 limited to the amount owed on that tax return and shall not be

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30 carried forward. A dealer may only obtain a credit and may not  
31 apply for a refund.

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

38 Section 2. This act shall take effect July 1, 2008.