

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

HB 689

2008

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, 2008.