

By Senator Stargel

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1 A bill to be entitled
2 An act relating to emergency preparedness and
3 response; providing a sales and use tax exemption for
4 certain tangible personal property related to disaster
5 preparedness during a specified period; providing
6 exceptions; authorizing the Department of Revenue to
7 adopt rules to implement the exemption; providing an
8 expiration date; providing an appropriation; creating
9 s. 252.359, F.S.; directing the Division of Emergency
10 Management to create a statewide system to facilitate
11 transport of essentials in an emergency throughout the
12 state; defining the term "essentials"; directing the
13 division to create a certification system for certain
14 persons facilitating the transport or distribution of
15 essentials or who assist in restoring utility
16 services; providing requirements and conditions for
17 the certification system; permitting certain
18 activities by certified persons during a curfew;
19 providing that a law enforcement officer may specify a
20 permissible route of ingress or egress for a certified
21 person; providing an effective date.

22
23 Be It Enacted by the Legislature of the State of Florida:

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25 Section 1. Disaster preparedness tax exemption.—

26 (1) The tax levied under chapter 212, Florida Statutes, may
27 not be collected during the period from 12 a.m. on May 31, 2016,
28 through 11:59 p.m. on June 14, 2016, on the sale of:

29 (a) A portable self-powered light source selling for \$20 or

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30 less.

31 (b) A portable self-powered radio, two-way radio, or
32 weather band radio selling for \$75 or less.

33 (c) A tarpaulin or other flexible waterproof sheeting
34 selling for \$50 or less.

35 (d) An item typically sold or advertised as a ground anchor
36 system or tie-down kit selling for \$50 or less.

37 (e) A gas or diesel fuel tank selling for \$25 or less.

38 (f) A package of AAA-cell, AA-cell, C-cell, D-cell, 6-volt,
39 or 9-volt batteries, excluding automobile and boat batteries,
40 selling for \$30 or less.

41 (g) A cellular telephone battery selling for \$60 or less.

42 (h) A cellular telephone charger selling for \$40 or less.

43 (i) A nonelectric food storage cooler selling for \$30 or
44 less.

45 (j) A portable generator that is used to provide light,
46 support communications, or preserve food during a power outage
47 and selling for \$1,000 or less.

48 (k) A storm shutter device selling for \$200 or less. As
49 used in this paragraph, the term "storm shutter device" means a
50 material or product manufactured, rated, and marketed
51 specifically for the purpose of preventing window damage from
52 storms.

53 (l) A carbon monoxide detector selling for \$75 or less.

54 (m) Reusable ice selling for \$10 or less.

55 (n) A single product consisting of two or more of the items
56 listed in paragraphs (a)-(m) and selling for \$75 or less.

57 (o) A personal locator beacon selling for \$600 or less.

58 (p) An emergency position-indicating radio beacon selling

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59 for \$1,500 or less.

60 (2) The tax exemptions provided in this section do not
61 apply to sales within a public lodging establishment as defined
62 in s. 509.013(4), Florida Statutes, within a theme park or
63 entertainment complex as defined in s. 509.013(9), Florida
64 Statutes, or within an airport as defined in s. 330.27(2),
65 Florida Statutes.

66 (3) The Department of Revenue may adopt rules to implement
67 this section.

68 (4) This section expires September 30, 2016.

69 Section 2. For the 2016-2017 fiscal year, the sum of \$
70 in nonrecurring funds is appropriated from the General Revenue
71 Fund to the Department of Revenue for purposes of administering
72 the tax exemptions for the purchase of tangible personal
73 property relating to disaster preparedness specified under this
74 act.

75 Section 3. Section 252.359, Florida Statutes, is created to
76 read:

77 252.359 Ensuring availability of emergency supplies.-

78 (1) In order to meet the needs of residents affected by a
79 declared emergency and to ensure the continuing economic
80 resilience of communities impacted by disaster, the Division of
81 Emergency Management shall establish a statewide system to
82 facilitate transport of essentials throughout the state.

83 (2) As used in this section, the term "essentials" means
84 any goods that are consumed or used as a direct result of an
85 emergency or that are consumed or used to preserve, protect, or
86 sustain life, health, safety, or economic well-being.

87 (3) The division shall develop a system to certify a person

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88 who transports essentials in commerce, who assists in ensuring
89 the availability of essentials, or who assists in restoring
90 utility services, subject to the following:

91 (a) The system must allow for both preemergency declaration
92 and postemergency declaration certification and may include an
93 annually renewable precertification.

94 (b) The division may certify only a person who routinely
95 transports or distributes essentials or assists in restoring
96 utility services.

97 (c) A certification of the employer constitutes a
98 certification of the employer's employees.

99 (d) The division shall create an easily recognizable
100 indicium of certification to assist local officials' efforts to
101 determine which persons have been certified under this
102 subsection.

103 (e) A person certified by the division is not required to
104 obtain any additional certification or fulfill any additional
105 requirement in order to transport or distribute essentials or
106 assist in restoring utility services.

107 (4) Notwithstanding any curfew, a person certified under
108 subsection (3) is permitted to enter or remain in the curfew
109 area for the limited purpose of distributing or assisting in the
110 distribution of essentials or assisting in restoring utility
111 services and is permitted to provide service that exceeds
112 otherwise applicable hours of service maximums to the extent
113 authorized by a duly executed declaration of a state of
114 emergency.

115 (5) This section does not prohibit a law enforcement
116 officer from specifying the permissible route of ingress or

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117 egress for a person certified under subsection (3).

118 Section 4. This act shall take effect upon becoming a law.