

By Senator Powell

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1 A bill to be entitled

2 An act relating to an annual sales tax holiday for
3 veterans of the United States Armed Forces; creating
4 an annual sales tax holiday for veterans; specifying
5 items that are eligible for the sales tax holiday;
6 defining the term "veteran" for purposes of the sales
7 tax holiday; specifying tax treatment of layaways,
8 exchanges, and Internet sales; specifying reporting
9 requirements of retailers; authorizing the Department
10 of Revenue to adopt emergency rules; providing an
11 effective date.

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

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15 Section 1. Sales tax holiday for veterans of the United
16 States Armed Forces.-

17 (1) The tax levied under chapter 212, Florida Statutes, may
18 not be collected from a veteran during the period from 12:01
19 a.m. on November 1 through 11:59 p.m. on December 31, annually,
20 on the retail sale, as defined in s. 212.02(14), Florida
21 Statutes, of:

22 (a) Clothing with a sales price of \$100 or less per item.
23 As used in this paragraph, the term "clothing" means:

24 1. Any article of wearing apparel intended to be worn on or
25 about the human body, excluding watches, watchbands, jewelry,
26 umbrellas, and handkerchiefs; and

27 2. All footwear, excluding skis, swim fins, roller blades,
28 and skates.

29 (b) Personal computers with a sales price of \$1,500 or less
30 per item. As used in this paragraph, the term "personal
31 computers" includes electronic book readers, laptops, desktops,
32 handhelds, tablets, or tower computers. The term does not

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33 include cellular telephones, video game consoles, digital media
34 receivers, or devices that are not primarily designed to process
35 data.

36 (c) Books with a sales price of \$50 or less per item. As
37 used in this paragraph, the term "books" includes textbooks or
38 other instructional materials, in printed or digital format,
39 used for educational purposes.

40 (d) Sports, fitness, and recreational equipment with a
41 sales price of \$100 or less per item.

42 (e) Televisions with a sales price of \$1,000 or less per
43 item.

44 (f) Game tables and billiard tables, and accessories
45 thereof, with a sales price of \$500 or less per item.

46 (2) Notwithstanding any action by the United States
47 Department of Veterans Affairs relating to dishonorable
48 discharges or releases, the term "veteran" means a person who
49 served in the active military, naval, or air service who was
50 honorably discharged or released or who later received an
51 upgraded honorable discharge or release. To be eligible for the
52 sales tax holiday, a veteran must show proof of military status
53 at the time he or she purchases the eligible items.

54 (3) Eligible items placed on layaway during the sales tax
55 holiday are tax exempt even if final payment of the layaway is
56 made after the holiday period. All mail-order, catalog, or
57 Internet sales of eligible items during the sales tax holiday
58 are tax exempt if the order is accepted during the holiday
59 period for immediate shipment, even if the item is delivered
60 after the holiday period. If a veteran purchases a tax-exempt
61 item during the holiday period and exchanges it for the same

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62 type of item, such as exchanging the item for a different size
63 or different color, after the holiday period expires, no tax is
64 due.

65 (4) A retailer making tax-exempt sales under this section
66 shall report to the Department of Revenue the amount of its
67 gross sales on the retailer's sales and use tax return.

68 (5) The Department of Revenue may, and all conditions are
69 deemed met to, adopt emergency rules pursuant to ss. 120.536(1)
70 and 120.54, Florida Statutes, to administer this section. This
71 subsection is repealed on June 30, 2018.

72 Section 2. This act shall take effect July 1, 2017.