

By Senator Gruters

23-01181B-20

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1 A bill to be entitled
 2 An act relating to a corporate income tax credit;
 3 creating s. 220.197, F.S.; defining the term "NAICS";
 4 providing a credit against the corporate income tax,
 5 for a specified amount and for a specified taxable
 6 year, for taxpayers classified in the sales financing
 7 or passenger car rental or leasing industries which
 8 meet certain criteria; providing for retroactive
 9 operation; providing an effective date.

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

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 13 Section 1. Section 220.197, Florida Statutes, is created to
 14 read:

15 220.197 1031 exchange tax credit.-

16 (1) As used in this section, the term "NAICS" means those
 17 classifications contained in the North American Industry
 18 Classification System, as published in 2007 by the Office of
 19 Management and Budget, Executive Office of the President.

20 (2) A taxpayer is eligible for a \$10 million credit against
 21 the tax imposed by this chapter for its 2018 taxable year if:

22 (a)1. The taxpayer is classified under NAICS industry group
 23 code 53211;

24 2. The taxpayer deferred gains on the sale of personal
 25 property assets for federal income purposes under s. 1031 of the
 26 Internal Revenue Code during its taxable year beginning on or
 27 after August 1, 2016, and before August 1, 2017; and

28 3. The taxpayer's final tax liability for its taxable year
 29 beginning on or after August 1, 2017, and before August 1, 2018,

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30 before application of the credit authorized by this section, is
31 greater than \$15 million and is at least 700 percent greater
32 than its final tax liability for its taxable year beginning on
33 or after August 1, 2016, and before August 1, 2017; or

34 (b)1. The taxpayer is classified under NAICS industry group
35 code 522220 or 532112;

36 2. The taxpayer deferred gains on the sale of personal
37 property assets for federal income purposes under s. 1031 of the
38 Internal Revenue Code during its taxable year beginning on or
39 after August 1, 2016, and before August 1, 2017; and

40 3. The taxpayer's final tax liability for its taxable year
41 beginning on or after August 1, 2017, and before August 1, 2018,
42 before application of the credit authorized by this section, is
43 greater than \$15 million and is at least \$15 million greater
44 than its final tax liability for its taxable year beginning on
45 or after August 1, 2016, and before August 1, 2017.

46 (3) This section operates retroactively to January 1, 2018.

47 Section 2. This act shall take effect upon becoming a law.