

By the Committee on Commerce and Tourism; and Senator Gruters

577-03073-20

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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.

10  
11 Be It Enacted by the Legislature of the State of Florida:

12  
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 \$2 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.