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LEGISLATIVE ACTION

Senate

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House

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The Committee on Finance and Tax (Gaetz) recommended the following:

**Senate Amendment (with title amendment)**

Delete everything after the enacting clause  
and insert:

Section 1. Paragraph (c) is added to subsection (10) of  
section 212.12, Florida Statutes, to read:

212.12 Dealer's credit for collecting tax; penalties for  
noncompliance; powers of Department of Revenue in dealing with  
delinquents; rounding; records required.—

(10)



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11        (c)1. For purposes of this paragraph, the term "cash" has  
12 the same meaning as defined in 12 U.S.C. s. 4001.

13        2. If the 1-cent piece is no longer in production, an in-  
14 person cash transaction may be rounded to the nearest nickel  
15 using the following methodology:

16        a. If the final digit of a cash transaction ends in 1 or 2  
17 cents, it must be rounded down to zero.

18        b. If the final digit of a cash transaction ends in 3 or 4  
19 cents, it must be rounded up to 5 cents.

20        c. If the final digit of a cash transaction ends in 6 or 7  
21 cents, it must be rounded down to 5 cents.

22        d. If the final digit of a cash transaction ends in 8 or 9  
23 cents, it must be rounded up to 10 cents.

24        e. Cash transactions ending in 0 or 5 cents are not  
25 rounded.

26        3. Rounding to the nickel applies only to cash  
27 transactions. Rounding to the nickel does not apply to any  
28 transaction for which payment is made by a noncash method,  
29 including electronic funds transfer; check; gift card; money  
30 order; credit card; or mixed tender, except to the extent that  
31 cash is dispersed to the purchaser.

32        4. Rounding to the nickel does not alter the sales price,  
33 the amount of tax collected under this chapter, or any  
34 surcharges, assessments, or fees imposed on the sale.

35        5. Rounding to the nickel may apply to the amount of the  
36 transaction or to the amount of change tendered to the  
37 purchaser.

38        6. Rounding to the nickel does not alter or affect the  
39 exact amounts authorized, cleared, or settled through any



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noncash payment system or electronic transaction.

Section 2. Subsection (8) is added to section 501.212, Florida Statutes, to read:

501.212 Application.—This part does not apply to:

(8) Rounding a consumer sale to the nickel if the 1-cent piece is no longer in production.

Section 3. Present subsections (2) and (3) of section 538.235, Florida Statutes, are redesignated as subsections (3) and (4), respectively, and a new subsection (2) is added to that section, to read:

538.235 Method of payment.—

(2) Any cash payment made to a seller under this section shall be made in the full amount due or rounded up to the nearest nickel if the 1-cent piece is no longer in production.

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

===== T I T L E A M E N D M E N T =====

And the title is amended as follows:

Delete everything before the enacting clause and insert:

A bill to be entitled

An act relating to the one-cent piece; amending s. 212.12, F.S.; defining the term "cash"; authorizing dealers to round to the nearest nickel in certain circumstances; specifying the methodology for such rounding; providing applicability and construction; amending s. 501.212, F.S.; providing that rounding to the nearest nickel is not a deceptive and unfair trade practice in certain circumstances; amending s.



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69        538.235, F.S.; requiring that certain cash payments be  
70        made in the full amount due or rounded in a specified  
71        manner in certain circumstances; providing an  
72        effective date.