



LEGISLATIVE ACTION

Senate

House

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

1 **Senate Amendment (with title amendment)**

2
3 Delete everything after the enacting clause
4 and insert:

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

7 212.12 Dealer's credit for collecting tax; penalties for
8 noncompliance; powers of Department of Revenue in dealing with
9 delinquents; rounding; records required.—

10 (10)



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



40 noncash payment system or electronic transaction.

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

43 501.212 Application.—This part does not apply to:

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

46 Section 3. Present subsections (2) and (3) of section
47 538.235, Florida Statutes, are redesignated as subsections (3)
48 and (4), respectively, and a new subsection (2) is added to that
49 section, to read:

50 538.235 Method of payment.—

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

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

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

56 And the title is amended as follows:

57 Delete everything before the enacting clause
58 and insert:

59 A bill to be entitled

60 An act relating to the one-cent piece; amending s.
61 212.12, F.S.; defining the term "cash"; authorizing
62 dealers to round to the nearest nickel in certain
63 circumstances; specifying the methodology for such
64 rounding; providing applicability and construction;
65 amending s. 501.212, F.S.; providing that rounding to
66 the nearest nickel is not a deceptive and unfair trade
67 practice in certain circumstances; amending s.
68



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.