

CS/HB 173 — Tax on Sales, Use, and Other Transactions

by Economic Development Policy Committee; and Rep. Poppell, and others (CS/SB 220 by Finance and Tax Committee and Senator Fasano)

The bill creates paragraph 212.08(7)(ggg), F.S., to provide two new tax exemptions for aircraft owned by nonresidents.

A use tax exemption is created for aircraft that are sold in this state free of sales tax to a non-resident when the plane returns to Florida for fewer than 21 total days within 6 months after the date of purchase. The aircraft owner may demonstrate to the Florida Department of Revenue that it has met the requirements of the exemption by producing specified documentation.

An use tax exemption is created for aircraft owned by a non-resident when it is used in Florida exclusively for the purpose of flight training, repairs, alterations, refitting, or modification. The non-resident owner must be able to prove entitlement to the exemption by producing written documentation issued by in-state vendors or suppliers that identifies the aircraft. There are no time limitations associated with this exemption.

These exemptions are not mutually exclusive and are in addition to the existing aircraft tax exemption provisions of s. 212.05(1)(a), F.S., which requires the aircraft to leave the state within a specified time subsequent to the authorized purposes.

Further, under the bill, the penalty for failure to pay sales and use tax on an aircraft or boat is no longer mandatory.

If approved by the Governor, these provisions take effect July 1, 2010.

Vote: Senate 37-0; House 110-6