

Agenda Order

<b>Tab 1</b>	<b>SB 1906</b> by <b>Brodeur</b> ; Identical to H 05017 Debt Reduction
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<b>Tab 2</b>	<b>SJR 1908</b> by <b>Hooper</b> ; Identical to H 05019 Budget Stabilization Fund
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<b>Tab 3</b>	<b>HB 7031</b> by <b>WMC, Duggan (CO-INTRODUCERS) Black</b> ; Sales Tax Rate Reductions
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**The Florida Senate**  
**COMMITTEE MEETING EXPANDED AGENDA**

**APPROPRIATIONS**  
**Senator Hooper, Chair**  
**Senator Rouson, Vice Chair**

**MEETING DATE:** Thursday, June 5, 2025  
**TIME:** 2:30—5:00 p.m.  
**PLACE:** *Pat Thomas Committee Room, 412 Knott Building*

**MEMBERS:** Senator Hooper, Chair; Senator Rouson, Vice Chair; Senators Berman, Brodeur, Burgess, Collins, DiCeglie, Garcia, Grall, Harrell, Martin, McClain, Pizzo, Polsky, Sharief, Smith, Trumbull, and Wright

TAB	BILL NO. and INTRODUCER	BILL DESCRIPTION and SENATE COMMITTEE ACTIONS	COMMITTEE ACTION
1	<b>SB 1906</b> Brodeur (Identical H 5017)	Debt Reduction; Revising requirements for the debt affordability report prepared annually by the Division of Bond Finance to include specified information relating to state debt; creating the Debt Reduction Program within the State Board of Administration for a specified purpose; requiring the Division of Bond Finance to use its best efforts to use specified funds to achieve such purpose, etc.  AP      06/05/2025 Favorable	Favorable Yeas 17 Nays 0
2	<b>SJR 1908</b> Hooper (Identical HJR 5019)	Budget Stabilization Fund; Proposing an amendment to the State Constitution to increase the amount of funds that may be retained in the budget stabilization fund, require an annual transfer to the budget stabilization fund if there is not a revenue shortfall, and allow the legislature to withdraw funds periodically for critical state needs, etc.  AP      06/05/2025 Favorable	Favorable Yeas 14 Nays 3
3	<b>HB 7031</b> Ways & Means Committee / Duggan (Compare CS/H 7033)	Sales Tax Rate Reductions; Decreases specified tax rates.  AP      06/05/2025 Fav/1 Amendment	Fav/1 Amendment ( Yeas 17 Nays 0

Other Related Meeting Documents

**The Florida Senate**  
**BILL ANALYSIS AND FISCAL IMPACT STATEMENT**

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

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Prepared By: The Professional Staff of the Committee on Appropriations

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BILL: SB 1906

INTRODUCER: Senator Brodeur

SUBJECT: Debt Reduction

DATE: June 5, 2025

REVISED: \_\_\_\_\_

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ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1. Shettle	Sadberry	AP	<b>Favorable</b>

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## I. Summary:

SB 1906 creates the Debt Reduction Program within the State Board of Administration (SBA) for the purpose of reducing the state’s tax-supported debt by accelerating the retirement of outstanding state bonds prior to maturity.

The bill authorizes the Division of Bond Finance (Division) to use the funds provided for the program to extinguish outstanding state bonds, other than state bonds of the Department of Transportation or the Florida Turnpike Enterprise. The bill requires the Division to include information related to the bonds that were extinguished and a recommendation as to whether it is in the best interest of the state for the Legislature to continue the debt reduction program in its annual debt report.

The bill has a significant impact on state expenditures. The bill provides for an annual transfer of \$250 million from the General Revenue Fund for the Debt Reduction Program. However, an indeterminant amount of savings will be realized both in a reduction to annual debt service payments and avoided interest. See Section V., Fiscal Impact Statement.

The bill is effective July 1, 2025.

## II. Present Situation:

### Division of Bond Finance

The Division of Bond Finance (Division) was created to provide capital financing for state agencies and associated entities by issuing and administering a variety of bonds authorized by Article VII, s. 11 of the State Constitution for education, environmental, transportation, state facilities, and insurance programs. The Division is administratively housed within the State Board of Administration, and is governed by the Governor and Cabinet.<sup>1</sup>

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<sup>1</sup> State Board of Administration, Division of Bond Finance, *History*, available at <https://bondfinance.sbafla.com/Home/About-the-Division-of-Bond-Finance> (last visited June 5, 2025).

## State Debt

There are multiple types of debt that may be incurred by the State. The State has both direct and indirect debt.<sup>2</sup> Direct debt means “either tax-supported debt or self-supporting debt.” The term “tax-supported debt” is “debt supported by state tax revenues or tax-like revenues.” The term “self-supporting debt” is “debt secured by revenues generated from operating bond-financed facilities.” The term “indirect state debt” means “debt secured by revenues not appropriated by the state or debt not secured by state revenues.”<sup>3</sup>

As of June 30, 2024, the state had \$15.4 billion in total direct debt outstanding, a reduction of almost \$1 billion from the previous fiscal year.<sup>4</sup> Total tax-supported debt totaled \$11.1 billion, while self-supported debt totaled \$4.2 billion. Transportation debt is the largest portion of direct debt, accounting for \$8.3 billion or 54.3 percent of debt outstanding. Educational facilities represents \$5.5 billion or 35.9 percent of debt outstanding. The state’s direct debt outstanding has decreased by \$10.4 billion (40.4 percent) over the last 10 years.<sup>5</sup>

## State Debt Report

The Division is required to conduct an annual debt affordability analysis and report each year for the purpose of providing a framework for the Legislature to evaluate and establish priorities among proposed capital projects requiring the issuance of additional state debt and related appropriations.<sup>6</sup> The report must include:

- A listing of state debt outstanding, other debt secured by state revenues, and other contingent debt.
- An estimate of revenues available for the next 10 fiscal years to pay debt service, including general revenues plus any revenues specifically pledged to pay debt service.
- An estimate of additional debt issuance for the next 10 fiscal years for the state's existing borrowing programs.
- A schedule of the annual debt service requirements, including principal and interest allocation, on the outstanding state debt and an estimate of the annual debt service requirements on specified debt for each of the next 10 fiscal years.
- An overview of the state's general obligation credit rating.
- Identification and calculation of pertinent debt ratios, including, but not limited to, debt service to revenues available to pay debt service, debt to personal income, and debt per capita for the state's net tax-supported debt.
- The estimated debt capacity available over the next 10 fiscal years without the benchmark debt ratio of debt service to revenue exceeding 6 percent.
- A comparison of debt ratios with the comparable debt ratios for the 10 most populous states.<sup>7</sup>

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<sup>2</sup> Division of Bond Finance, *2024 State of Florida Debt Report*, (Dec. 2024), pg. 1, available at <https://bondfinance.sbafla.com/Portals/0/Content/DebtReport/DAR%20with%202025%20update.pdf?ver=2025-04-21-110103-647> (last visited June 5, 2025).

<sup>3</sup> *Id.*

<sup>4</sup> *Id.*

<sup>5</sup> *Id.*

<sup>6</sup> Section 215.98, F.S.

<sup>7</sup> *Id.*

### ***Accelerated Debt Reduction Recently Authorized***

In the Fiscal Year 2023-2024 General Appropriation Act (GAA), the Legislature authorized a one-time transfer of \$200 million from the General Revenue Fund to retire outstanding taxable Public Education Capital Outlay (PECO) and State Revolving Fund (SRF) bonds.<sup>8</sup> The Division utilized the transferred funds and available PECO and SRF program funds to retire \$399.5 million in outstanding debt. These transactions generated savings for the state of approximately \$33.9 million from discounts and avoided interest, in addition to a reduction of future debt service payments.<sup>9</sup>

In the Fiscal Year 2024-2025 GAA, the Legislature provided funding for accelerated debt reduction with an appropriation totaling \$500 million including \$245 million from the General Revenue Fund, \$165 million in Turnpike general reserves, and \$90 million from the Right-of-Way Acquisition and Bridge Construction Trust Fund.<sup>10</sup> As of April 2025, the Division has utilized the funds to retire \$525.6 million in outstanding state debt. These transactions generated savings for the state of approximately \$334.7 million from discounts and avoided interest, in addition to a reduction of future debt service payments.<sup>11</sup>

### **III. Effect of Proposed Changes:**

The bill creates the Debt Reduction Program within the State Board of Administration (SBA) for the purpose of reducing the state's tax-supported debt by accelerating the retirement of outstanding state bonds prior to maturity.

The bill directs the Division of Bond Finance (Division) to use the funds provided for the program to extinguish outstanding state bonds, other than state bonds of the Department of Transportation or the Florida Turnpike Enterprise. Additionally, the division is authorized to make any necessary or incidental transactions for the purpose of realizing debt service savings and reducing the amount of state debt outstanding.

The bill also requires the Division, in the annual debt affordability report, to include a description of the strategies employed to retire outstanding state debt, the amount of state debt retired, the amount of any necessary or incidental payments made, and the debt service savings generated. Additionally, the Division is required to make a recommendation as to whether it is in the best interest of the state for the Legislature to continue the debt reduction program.

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<sup>8</sup> Chapter 2023-239, s. 239, Laws of Florida.

<sup>9</sup> Division of Bond Finance, *2024 State of Florida Debt Report* at 2.

<sup>10</sup> Chapter 2024-231, ss. 286 and 287, Laws of Florida.

<sup>11</sup> Email from Ben Watkins, Director of the Division on Bond Finance, dated April 28<sup>th</sup>, 2025 (on file with the Senate Committee on Appropriations).

**IV. Constitutional Issues:**

## A. Municipality/County Mandates Restrictions:

None.

## B. Public Records/Open Meetings Issues:

None.

## C. Trust Funds Restrictions:

None.

## D. State Tax or Fee Increases:

None.

## E. Other Constitutional Issues:

None.

**V. Fiscal Impact Statement:**

## A. Tax/Fee Issues:

None.

## B. Private Sector Impact:

None.

## C. Government Sector Impact:

The bill provides for a recurring transfer of \$250 million from the General Revenue Fund for the Debt Reduction Program beginning in Fiscal Year 2025-2026. Any unexpended funds shall revert to the General Revenue Fund on June 30 each fiscal year.

An indeterminate amount of savings will be realized based on reductions to annual debt service payment and interest avoided.

**VI. Technical Deficiencies:**

None.

**VII. Related Issues:**

None.

**VIII. Statutes Affected:**

This bill substantially amends section 215.98 of the Florida Statutes.

**IX. Additional Information:**

**A. Committee Substitute – Statement of Changes:**

(Summarizing differences between the Committee Substitute and the prior version of the bill.)

None.

**B. Amendments:**

None.

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This Senate Bill Analysis does not reflect the intent or official position of the bill's introducer or the Florida Senate.

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By Senator Brodeur

10-04251-25

20251906\_\_

A bill to be entitled

An act relating to debt reduction; amending s. 215.98, F.S.; revising requirements for the debt affordability report prepared annually by the Division of Bond Finance to include specified information relating to state debt; creating the Debt Reduction Program within the State Board of Administration for a specified purpose; requiring the Division of Bond Finance to use its best efforts to use specified funds to achieve such purpose; authorizing the use of such funds for necessary or incidental transactions for such purpose; providing appropriations; providing an effective date.

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

Section 1. Section 215.98, Florida Statutes, is amended to read:

215.98 State debt fiscal responsibility.—

(1) It is the public policy of this state to encourage fiscal responsibility on matters pertaining to state debt. In an effort to finance essential capital projects for the benefit of residents at favorable interest rates, the state must continue to maintain its excellent credit standing with investors. Authorizations of state debt must take into account the ability of the state to meet its total debt service requirements in light of other demands on the state's fiscal resources. The Legislature declares that it is the policy of this state to exercise prudence in undertaking the authorization and issuance of debt. In order to implement this policy, the Legislature

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desires to authorize the issuance of additional state tax-supported debt only when such authorization would not cause the ratio of debt service to revenue available to pay debt service on tax-supported debt to exceed 6 percent. If the 6-percent target debt ratio will be exceeded, the authorization of such additional debt must be accompanied by a legislative statement of determination that such authorization and issuance is in the best interest of the state and should be implemented. The Legislature shall not authorize the issuance of additional state tax-supported debt if such authorization would cause the designated benchmark debt ratio of debt service to revenues available to pay debt service to exceed 7 percent unless the Legislature determines that such additional debt is necessary to address a critical state emergency.

(2) The Division of Bond Finance shall conduct a debt affordability analysis each year. Proposed capital projects that require funding by the issuance of additional state debt shall be evaluated on the basis of the analysis to assist the Governor and the Legislature in setting priorities among capital projects and related appropriations.

(a) The Division of Bond Finance shall annually prepare a debt affordability report, to be presented to the governing board of the Division of Bond Finance, the President of the Senate, the Speaker of the House of Representatives, and the chair of each appropriations committee by December 15 of each year, for purposes of providing a framework for the Legislature to evaluate and establish priorities for bills that propose the authorization of additional state debt during the next budget year.

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59 (b) The report shall include, but not be limited to:

60 1. A listing of state debt outstanding, other debt secured

61 by state revenues, and other contingent debt.

62 2. An estimate of revenues available for the next 10 fiscal

63 years to pay debt service, including general revenues plus any

64 revenues specifically pledged to pay debt service.

65 3. An estimate of additional debt issuance for the next 10

66 fiscal years for the state's existing borrowing programs.

67 4. A schedule of the annual debt service requirements,

68 including principal and interest allocation, on the outstanding

69 state debt and an estimate of the annual debt service

70 requirements on the debt included in subparagraph 3. for each of

71 the next 10 fiscal years.

72 5. An overview of the state's general obligation credit

73 rating.

74 6. Identification and calculation of pertinent debt ratios,

75 including, but not limited to, debt service to revenues

76 available to pay debt service, debt to personal income, and debt

77 per capita for the state's net tax-supported debt.

78 7. The estimated debt capacity available over the next 10

79 fiscal years without the benchmark debt ratio of debt service to

80 revenue exceeding 6 percent.

81 8. A comparison of the debt ratios prepared for

82 subparagraph 6., with the comparable debt ratios for the 10 most

83 populous states.

84 9. A description of the strategies employed to retire

85 outstanding state debt, the amount of state debt retired, the

86 amount of any necessary or incidental payments made in

87 association with a transaction that realizes debt service

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88 savings or reduces the amount of state debt outstanding, and the

89 debt service savings generated and a recommendation as to

90 whether it is in the best interest of the state for the

91 Legislature to continue the Debt Reduction Program pursuant to

92 subsection (3).

93 (c) The Division of Bond Finance shall prepare an update of

94 the report set forth above upon completion of the revenue

95 estimates prepared in connection with the legislative session.

96 (d) Any entity issuing debt secured by state revenues shall

97 provide the information necessary to prepare the debt

98 affordability report.

99 (3) The Debt Reduction Program is created within the State

100 Board of Administration for the purpose of reducing the state's

101 tax-supported debt by accelerating the retirement of bonds prior

102 to maturity. The Division of Bond Finance shall use its best

103 efforts to use any funds transferred for the purpose of this

104 program to redeem, defease, purchase, or otherwise extinguish

105 outstanding state bonds, other than state bonds of the

106 Department of Transportation or the Florida Turnpike Enterprise,

107 and may use the funds to make any other payments necessary or

108 incidental to the transactions for the purpose of realizing debt

109 service savings and reducing the amount of state debt

110 outstanding.

111 (4) Failure to comply with this section shall not affect

112 the validity of any debt or the authorization of such debt.

113 Section 2. The Chief Financial Officer shall transfer \$250

114 million from the General Revenue Fund on July 1 of each fiscal

115 year, beginning in the 2025-2026 fiscal year, to the State Board

116 of Administration for the Debt Reduction Program pursuant to s.

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117 215.98, Florida Statutes. Any unexpended funds shall revert on  
118 June 30 of each fiscal year to the General Revenue Fund.  
119 Section 3. This act shall take effect July 1, 2025.

**The Florida Senate**  
**BILL ANALYSIS AND FISCAL IMPACT STATEMENT**

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

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Prepared By: The Professional Staff of the Committee on Appropriations

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BILL: SJR 1908

INTRODUCER: Senator Hooper

SUBJECT: Budget Stabilization Fund

DATE: June 5, 2025

REVISED: \_\_\_\_\_

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ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1. Urban	Sadberry	AP	<b>Favorable</b>

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## I. Summary:

SJR 1908 proposes an amendment to the Florida Constitution to increase the amount of funds that may be retained in the Budget Stabilization Fund (BSF). Specifically, the joint resolution increases the percentage of the last completed fiscal year's net revenue collections for the General Revenue Fund from 10 percent to 25 percent. Additionally, the joint resolution requires the Legislature to make an annual transfer of the lesser of \$750 million or the amount necessary to reach the 25 percent threshold unless there is revenue shortfall and authorizes the Legislature to withdraw funds periodically for critical state needs.

If approved by the voters and beginning in 2027 the SJR will have a significant fiscal impact to the state. See Section V., Fiscal Impact Statement.

The bill requires a three-fifths vote of the membership of each house of the Legislature for final passage.

If adopted by the Legislature, the proposed amendment will be submitted to the Florida's electors for approval or rejection at the next general election in November 2026. If approved, the provisions take effect January 5, 2027.

## II. Present Situation:

### Budget Stabilization Fund

Article III, s. 19 of the Florida Constitution requires an amount equal to at least 5 percent of the last completed fiscal year's net revenue collections for the General Revenue Fund to be retained in the Budget Stabilization Fund (BSF) and prohibits the principal balance from exceeding an amount equal to 10 percent of the last completed fiscal year's net revenue collections for the General Revenue Fund.<sup>1</sup>

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<sup>1</sup> Article III, s. 19, FLA. CONST.

To maintain the level of funding required under the Florida Constitution, by September 15 of each year the Chief Financial Officer is required to transfer pursuant to appropriations made by law the amount of money needed for the balance of the fund to equal the amount of at least 5 percent of the last completed fiscal year's net revenue collections for the General Revenue Fund.<sup>2</sup>

As authorized by the Florida Constitution and pursuant to s. 216.222, F.S., moneys in the BSF are authorized to be transferred to the General Revenue Fund for:

- Offsetting a deficit in the General Revenue Fund.<sup>3</sup>
- Providing funding for an emergency<sup>4</sup> that has been declared by the Governor or declared by law.
- Providing temporary transfers to the General Revenue Fund pursuant to s. 215.18, F.S.<sup>5</sup>

A transfer from the BSF for the aforementioned purposes must be made pursuant to s. 216.221, F.S., relating to adjustment of budgets to avoid or eliminate deficits, or pursuant to an appropriation by law.<sup>6</sup>

Any expenditure from the BSF must be restored pursuant to a restoration schedule that provides for making five equal annual transfers from the General Revenue Fund, beginning in the third fiscal year following that in which the expenditure was made. However, for any BSF expenditure, the Legislature may establish by law a different restoration schedule and such a change may be made at any time during the restoration period.<sup>7</sup>

### **State Constitutional Amendment**

The Florida Constitution provides that a joint resolution must pass by a three-fifths vote of the membership of each house of the Legislature. If a joint resolution is approved by the legislature, it must be submitted to the voters at the next general election.<sup>8</sup> The Florida Constitution requires the proposed amendment to be published<sup>9</sup> twice in newspapers of general circulation in each county in which a newspaper is published, once in the tenth week preceding the election and once in the sixth week, to notify the electors of the measure.<sup>10</sup>

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<sup>2</sup> Section 215.32, F.S.

<sup>3</sup> Pursuant to s. 216.222, F.S., a deficit in the General Revenue Fund is deemed to occur when the official estimate of funds available in the General Revenue Fund for a fiscal year falls below the total amount appropriated from the General Revenue Fund for that fiscal year.

<sup>4</sup> The term "emergency" is defined in s. 252.34, F.S., to mean "any occurrence, or threat thereof, whether natural, technological, or manmade, in war or in peace, which results or may result in substantial injury or harm to the population or substantial damage to or loss of property."

<sup>5</sup> Section 216.222, F.S.

<sup>6</sup> *Id.*

<sup>7</sup> *Id.*

<sup>8</sup> Article XI, s. 5(a), FLA. CONST.; *see also* s. 97.021(17), F.S.

<sup>9</sup> Such publication must also include notice of the date of the general election in which the proposed amendment or revision will be submitted to the electors. *See* Art. XI, s. 5(d), FLA. CONST.

<sup>10</sup> *Id.*

If at least 60 percent of the electors voting on the measure approve it, the measure passes and becomes part of the Florida Constitution.<sup>11</sup> An approved amendment takes effect on the first Tuesday after the first Monday in January following the election, unless otherwise specified.<sup>12</sup>

### **III. Effect of Proposed Changes:**

The joint resolution proposes an amendment to Section 19 of Article III of the Florida Constitution to make changes to the Budget Stabilization Fund (BSF). The joint resolution defines the term “revenue collections” to mean the last completed fiscal year’s net revenue collections for the General Revenue Fund.

The joint resolution increases the amount of funds that may be retained in the BSF from 10 percent of the last completed fiscal year’s net revenue collections for the General Revenue Fund to 25 percent. Currently, 10 percent of the state’s last completed fiscal year’s net revenue collections for the General Revenue Fund is \$4.9 billion and 25 percent is \$12.2 billion.

The joint resolution requires the Legislature to transfer the lesser of \$750 million or the amount required to increase the principal balance of the BSF to an amount equal to 25 percent of revenue collections from the General Revenue Fund to the BSF no later than June 30<sup>th</sup> of each fiscal year.

The Legislature is authorized to suspend the transfer in a fiscal year in which funds are withdrawn from the BSF for the purpose of covering revenue shortfalls of the General Revenue Fund.

The joint resolution also authorizes the Legislature to withdraw an amount that does not exceed 5 percent of the principal balance of the BSF, if the principal balance exceeds an amount equal to 20 percent of revenue collections and only for the purpose of funding on a nonrecurring basis a critical state need. Such a withdrawal must be approved by a two-thirds vote of the membership of each house of the Legislature in a separate bill for that purpose only and may not occur more than once every three years.

Because the joint resolution proposes a state constitutional amendment, it requires a three-fifths vote of the membership of each house of the Legislature to appear on the next general election ballot. If the joint resolution is placed on the ballot, it must be approved by at least 60 percent of the electors voting on the measure for passage. If approved, the provisions take effect January 5, 2027.

### **IV. Constitutional Issues:**

#### **A. Municipality/County Mandates Restrictions:**

Not applicable. This legislation is a proposed constitutional amendment and not a general law.

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<sup>11</sup> Article XI, s. 5(e), FLA. CONST.

<sup>12</sup> *Id.*

**B. Public Records/Open Meetings Issues:**

None.

**C. Trust Funds Restrictions:**

None.

**D. State Tax or Fee Increases:**

None.

**E. Other Constitutional Issues:**

None.

**V. Fiscal Impact Statement:****A. Tax/Fee Issues:**

None.

**B. Private Sector Impact:**

None.

**C. Government Sector Impact:**

If approved by the voters and beginning in 2027, the joint resolution will result in a significant fiscal impact to the state. The current balance of the BSF is \$4.4 billion. Unless there is a revenue shortfall, the joint resolution will require the Legislature to transfer \$750 million each fiscal year to the BSF until the balance of the fund reaches 25 percent of the last completed fiscal year's net revenue collections. Twenty-five percent of the last completed fiscal year's net revenue collections is \$12.2 billion. Therefore, if revenue collections were to remain the same, the joint resolution would require the Legislature to transfer \$750 million each fiscal year for at least the next 10 years unless certain conditions are met.

**VI. Technical Deficiencies:**

None.

**VII. Related Issues:**

None.

**VIII. Statutes Affected:**

This joint resolution substantially amends Article III, section 19 of the Florida Constitution.

**IX. Additional Information:**

- A. **Committee Substitute – Statement of Changes:**  
(Summarizing differences between the Committee Substitute and the prior version of the bill.)

None.

- B. **Amendments:**

None.

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This Senate Bill Analysis does not reflect the intent or official position of the bill's introducer or the Florida Senate.

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By Senator Hooper

21-04255-25

20251908\_\_

Senate Joint Resolution

A joint resolution proposing an amendment to Section 19 of Article III of the State Constitution to increase the amount of funds that may be retained in the budget stabilization fund, require an annual transfer to the budget stabilization fund if there is not a revenue shortfall, and allow the legislature to withdraw funds periodically for critical state needs.

Be It Resolved by the Legislature of the State of Florida:

That the following amendment to Section 19 of Article III of the State Constitution is agreed to and shall be submitted to the electors of this state for approval or rejection at the next general election or at an earlier special election specifically authorized by law for that purpose:

ARTICLE III

LEGISLATURE

SECTION 19. State Budgeting, Planning and Appropriations Processes.—

(a) ANNUAL BUDGETING.

(1) General law shall prescribe the adoption of annual state budgetary and planning processes and require that detail reflecting the annualized costs of the state budget and reflecting the nonrecurring costs of the budget requests shall accompany state department and agency legislative budget requests, the governor's recommended budget, and appropriation bills.

(2) Unless approved by a three-fifths vote of the

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membership of each house, appropriations made for recurring purposes from nonrecurring general revenue funds for any fiscal year shall not exceed three percent of the total general revenue funds estimated to be available at the time such appropriation is made.

(3) As prescribed by general law, each state department and agency shall be required to submit a legislative budget request that is based upon and that reflects the long-range financial outlook adopted by the joint legislative budget commission or that specifically explains any variance from the long-range financial outlook contained in the request.

(4) For purposes of this section, the terms department and agency shall include the judicial branch.

(b) APPROPRIATION BILLS FORMAT. Separate sections within the general appropriation bill shall be used for each major program area of the state budget; major program areas shall include: education enhancement "lottery" trust fund items; education (all other funds); human services; criminal justice and corrections; natural resources, environment, growth management, and transportation; general government; and judicial branch. Each major program area shall include an itemization of expenditures for: state operations; state capital outlay; aid to local governments and nonprofit organizations operations; aid to local governments and nonprofit organizations capital outlay; federal funds and the associated state matching funds; spending authorizations for operations; and spending authorizations for capital outlay. Additionally, appropriation bills passed by the legislature shall include an itemization of specific appropriations that exceed one million dollars (\$1,000,000.00)

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59 in 1992 dollars. For purposes of this subsection, "specific  
60 appropriation," "itemization," and "major program area" shall be  
61 defined by law. This itemization threshold shall be adjusted by  
62 general law every four years to reflect the rate of inflation or  
63 deflation as indicated in the Consumer Price Index for All Urban  
64 Consumers, U.S. City Average, All Items, or successor reports as  
65 reported by the United States Department of Labor, Bureau of  
66 Labor Statistics or its successor. Substantive bills containing  
67 appropriations shall also be subject to the itemization  
68 requirement mandated under this provision and shall be subject  
69 to the governor's specific appropriation veto power described in  
70 Article III, Section 8.

71 (c) APPROPRIATIONS PROCESS.

72 (1) No later than September 15 of each year, the joint  
73 legislative budget commission shall issue a long-range financial  
74 outlook setting out recommended fiscal strategies for the state  
75 and its departments and agencies in order to assist the  
76 legislature in making budget decisions. The long-range financial  
77 outlook must include major workload and revenue estimates. In  
78 order to implement this paragraph, the joint legislative budget  
79 commission shall use current official consensus estimates and  
80 may request the development of additional official estimates.

81 (2) The joint legislative budget commission shall seek  
82 input from the public and from the executive and judicial  
83 branches when developing and recommending the long-range  
84 financial outlook.

85 (3) The legislature shall prescribe by general law  
86 conditions under which limited adjustments to the budget, as  
87 recommended by the governor or the chief justice of the supreme

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88 court, may be approved without the concurrence of the full  
89 legislature.

90 (d) SEVENTY-TWO HOUR PUBLIC REVIEW PERIOD. All general  
91 appropriation bills shall be furnished to each member of the  
92 legislature, each member of the cabinet, the governor, and the  
93 chief justice of the supreme court at least seventy-two hours  
94 before final passage by either house of the legislature of the  
95 bill in the form that will be presented to the governor.

96 (e) FINAL BUDGET REPORT. A final budget report shall be  
97 prepared as prescribed by general law. The final budget report  
98 shall be produced no later than the 120th day after the  
99 beginning of the fiscal year, and copies of the report shall be  
100 furnished to each member of the legislature, the head of each  
101 department and agency of the state, the auditor general, and the  
102 chief justice of the supreme court.

103 (f) TRUST FUNDS.

104 (1) No trust fund of the State of Florida or other public  
105 body may be created or re-created by law without a three-fifths  
106 vote of the membership of each house of the legislature in a  
107 separate bill for that purpose only.

108 (2) State trust funds shall terminate not more than four  
109 years after the effective date of the act authorizing the  
110 initial creation of the trust fund. By law the legislature may  
111 set a shorter time period for which any trust fund is  
112 authorized.

113 (3) Trust funds required by federal programs or mandates;  
114 trust funds established for bond covenants, indentures, or  
115 resolutions, whose revenues are legally pledged by the state or  
116 public body to meet debt service or other financial requirements

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117 of any debt obligations of the state or any public body; the  
 118 state transportation trust fund; the trust fund containing the  
 119 net annual proceeds from the Florida Education Lotteries; the  
 120 Florida retirement trust fund; trust funds for institutions  
 121 under the management of the Board of Governors, where such trust  
 122 funds are for auxiliary enterprises and contracts, grants, and  
 123 donations, as those terms are defined by general law; trust  
 124 funds that serve as clearing funds or accounts for the chief  
 125 financial officer or state agencies; trust funds that account  
 126 for assets held by the state in a trustee capacity as an agent  
 127 or fiduciary for individuals, private organizations, or other  
 128 governmental units; and other trust funds authorized by this  
 129 Constitution, are not subject to the requirements set forth in  
 130 paragraph (2) of this subsection.

131 (4) All cash balances and income of any trust funds  
 132 abolished under this subsection shall be deposited into the  
 133 general revenue fund.

134 (g) BUDGET STABILIZATION FUND.

135 (1) For purposes of this subsection, the term "revenue  
 136 collections" means the last completed fiscal year's net revenue  
 137 collections for the general revenue fund.

138 (2) Subject to the provisions of this subsection, an amount  
 139 equal to at least 5% of ~~the last completed fiscal year's net~~  
 140 ~~revenue collections for the general revenue fund~~ shall be  
 141 retained in the budget stabilization fund. The budget  
 142 stabilization fund's principal balance shall not exceed an  
 143 amount equal to 25% ~~10% of the last completed fiscal year's net~~  
 144 ~~revenue collections for the general revenue fund.~~

145 (3) The legislature shall transfer the lesser of \$750

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146 million or the amount required to increase the principal balance  
 147 of the budget stabilization fund to an amount equal to 25% of  
 148 revenue collections from the general revenue fund to the budget  
 149 stabilization fund no later than June 30th of each fiscal year.  
 150 The legislature may suspend this transfer in a fiscal year in  
 151 which funds are withdrawn from the budget stabilization fund for  
 152 the purpose of covering revenue shortfalls of the general  
 153 revenue fund.

154 (4) The legislature shall provide criteria for withdrawing  
 155 funds from the budget stabilization fund in a separate bill for  
 156 that purpose only and only for the purpose of covering revenue  
 157 shortfalls of the general revenue fund or for the purpose of  
 158 providing funding for an emergency, as defined by general law.

159 (5) If the principal balance of the budget stabilization  
 160 fund exceeds an amount equal to 20% of revenue collections, the  
 161 legislature may withdraw an amount that does not exceed 5% of  
 162 the principal balance of the budget stabilization fund for the  
 163 purpose of funding on a nonrecurring basis a critical state  
 164 need. Such withdrawal must be approved by a two-thirds vote of  
 165 the membership of each house of the legislature in a separate  
 166 bill for that purpose only and may not occur more than once  
 167 every three years.

168 (6) General law shall provide for the restoration of this  
 169 fund. The budget stabilization fund shall be comprised of funds  
 170 not otherwise obligated or committed for any purpose.

171 (h) LONG-RANGE STATE PLANNING DOCUMENT AND DEPARTMENT AND  
 172 AGENCY PLANNING DOCUMENT PROCESSES. General law shall provide  
 173 for a long-range state planning document. The governor shall  
 174 recommend to the legislature biennially any revisions to the

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175 long-range state planning document, as defined by law. General  
 176 law shall require a biennial review and revision of the long-  
 177 range state planning document and shall require all departments  
 178 and agencies of state government to develop planning documents  
 179 that identify statewide strategic goals and objectives,  
 180 consistent with the long-range state planning document. The  
 181 long-range state planning document and department and agency  
 182 planning documents shall remain subject to review and revision  
 183 by the legislature. The long-range state planning document must  
 184 include projections of future needs and resources of the state  
 185 which are consistent with the long-range financial outlook. The  
 186 department and agency planning documents shall include a  
 187 prioritized listing of planned expenditures for review and  
 188 possible reduction in the event of revenue shortfalls, as  
 189 defined by general law.

190 (i) GOVERNMENT EFFICIENCY TASK FORCE. No later than  
 191 January of 2007, and each fourth year thereafter, the president  
 192 of the senate, the speaker of the house of representatives, and  
 193 the governor shall appoint a government efficiency task force,  
 194 the membership of which shall be established by general law. The  
 195 task force shall be composed of members of the legislature and  
 196 representatives from the private and public sectors who shall  
 197 develop recommendations for improving governmental operations  
 198 and reducing costs. Staff to assist the task force in performing  
 199 its duties shall be assigned by general law, and the task force  
 200 may obtain assistance from the private sector. The task force  
 201 shall complete its work within one year and shall submit its  
 202 recommendations to the joint legislative budget commission, the  
 203 governor, and the chief justice of the supreme court.

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204 (j) JOINT LEGISLATIVE BUDGET COMMISSION. There is created  
 205 within the legislature the joint legislative budget commission  
 206 composed of equal numbers of senate members appointed by the  
 207 president of the senate and house members appointed by the  
 208 speaker of the house of representatives. Each member shall serve  
 209 at the pleasure of the officer who appointed the member. A  
 210 vacancy on the commission shall be filled in the same manner as  
 211 the original appointment. From November of each odd-numbered  
 212 year through October of each even-numbered year, the chairperson  
 213 of the joint legislative budget commission shall be appointed by  
 214 the president of the senate and the vice chairperson of the  
 215 commission shall be appointed by the speaker of the house of  
 216 representatives. From November of each even-numbered year  
 217 through October of each odd-numbered year, the chairperson of  
 218 the joint legislative budget commission shall be appointed by  
 219 the speaker of the house of representatives and the vice  
 220 chairperson of the commission shall be appointed by the  
 221 president of the senate. The joint legislative budget commission  
 222 shall be governed by the joint rules of the senate and the house  
 223 of representatives, which shall remain in effect until repealed  
 224 or amended by concurrent resolution. The commission shall  
 225 convene at least quarterly and shall convene at the call of the  
 226 president of the senate and the speaker of the house of  
 227 representatives. A majority of the commission members of each  
 228 house plus one additional member from either house constitutes a  
 229 quorum. Action by the commission requires a majority vote of the  
 230 commission members present of each house. The commission may  
 231 conduct its meetings through teleconferences or similar means.  
 232 In addition to the powers and duties specified in this

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233 subsection, the joint legislative budget commission shall  
234 exercise all other powers and perform any other duties not in  
235 conflict with paragraph (c)(3) and as prescribed by general law  
236 or joint rule.

237  
238 BE IT FURTHER RESOLVED that the following statement be  
239 placed on the ballot:

240 CONSTITUTIONAL AMENDMENT

241 ARTICLE III, SECTION 19

242 BUDGET STABILIZATION FUND.—Proposing an amendment to the  
243 State Constitution to increase the amount of funds that may be  
244 retained in the budget stabilization fund from 10% to 25% of  
245 general revenue collections, require the legislature to transfer  
246 the lesser of \$750 million or the amount required to reach 25%  
247 of the general revenue collections each year if there is not a  
248 revenue shortfall, and allow the legislature to withdraw funds  
249 periodically for critical state needs.

The Florida Senate

# APPEARANCE RECORD

Deliver both copies of this form to  
Senate professional staff conducting the meeting

5JR 1908 X  
Bill Number or Topic

6/5/25  
Meeting Date

Appropriations  
Committee

Amendment Barcode (if applicable)

Name Karen Woodall

Phone 850-321-9386

Address 579 E. Call St.  
Street

Email katep@yahoo.com

Tallahassee, FL  
City State

32301  
Zip

Speaking:  For  Against  Information **OR** Waive Speaking:  In Support  Against

**PLEASE CHECK ONE OF THE FOLLOWING:**

I am appearing without compensation or sponsorship.

I am a registered lobbyist, representing:  
FI Center for Fiscal & Economic Policy

I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](https://www.flsenate.gov/2020-2022-Joint-Rules.pdf)

This form is part of the public record for this meeting.

S-001 (08/10/2021)

# APPEARANCE RECORD

Deliver both copies of this form to  
Senate professional staff conducting the meeting

5702 1908 <sup>7</sup>

Bill Number or Topic

6/5/25

Meeting Date

Approps.

Committee

Amendment Barcode (if applicable)

Name Dr. Rick Templin

Phone 850-224-6926

Address 135 S. Monroe

Email \_\_\_\_\_

Street

Tallahassee

City

FL

State

32301

Zip

Speaking:  For  Against  Information **OR** Waive Speaking:  In Support  Against

**PLEASE CHECK ONE OF THE FOLLOWING:**

I am appearing without compensation or sponsorship.

I am a registered lobbyist, representing:

Florida AFL-CIO

I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

**The Florida Senate**  
**BILL ANALYSIS AND FISCAL IMPACT STATEMENT**

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

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Prepared By: The Professional Staff of the Committee on Appropriations

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BILL: HB 7031

INTRODUCER: Ways & Means Committee and Representatives Duggan and Black

SUBJECT: Sales Tax Rate Reductions

DATE: June 5, 2025

REVISED: \_\_\_\_\_

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ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1. <u>Khan</u>	<u>Sadberry</u>	<u>AP</u>	<b>Fav/1 amendment</b>

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## I. Summary:

HB 7031 reduces the general rate of Florida's sales tax by 0.75 percent. Additionally, the bill reduces also all other sales tax rates by 0.75 percent. The rate on commercial rent is reduced from two to 1.25 percent, the rate on electricity is reduced from 4.35 to 3.6 percent, the rate on sales of new mobile homes is reduced from three to 2.25 percent, and the rate on coin-operated amusement machines is reduced from four to 3.25 percent; as well as making conforming changes to implement the rate reductions.

To implement the rate change provisions, the bill makes technical changes, including updates to divisors used for sales from amusement machines and vending machines (Section 5 and 8).

The Revenue Estimating Conference determined that the bill will reduce revenues by \$4,978.3 million in Fiscal Year 2025-2026, \$5,591.7 million in Fiscal Year 2026-2027, and \$5,755.9 million each year thereafter. See Section V. Fiscal Impact Statement for more detail on the fiscal impact.

## II. Present Situation:

### Overview of Florida Sales and Use Tax

Florida levies a six percent tax on the sale or rental of most items of tangible personal property,<sup>1</sup> admissions,<sup>2</sup> transient rentals,<sup>3</sup> and a limited number of services. Sales tax is added to the price of the taxable good or service and collected from the purchaser at the time of sale.<sup>4</sup>

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<sup>1</sup> Section 212.05(1)(a)1.a., F.S.

<sup>2</sup> Section 212.04(1)(b), F.S.

<sup>3</sup> Section 212.03(1)(a), F.S.

<sup>4</sup> Section 212.07(2), F.S.

The governing body of a county and school boards are authorized to levy local discretionary sales surtaxes in addition to the state sales tax.<sup>5</sup> A surtax applies to “all transactions ... subject to the state tax ... on sales, use, services, rentals, admissions, and other transactions ....”<sup>6</sup> In counties with discretionary sales surtaxes, the combined county and school board rates vary from 0.5 to two percent.<sup>7</sup> Two counties, Citrus and Collier, have no discretionary sales surtax levies.

The Florida Legislature passed the “Florida Revenue Act of 1949”<sup>8</sup> which imposed a three percent tax on the privilege of engaging in the business of renting certain real property, selling admissions to certain places of amusement, and selling tangible personal property. The sales tax rate has been adjusted several times since:

- In 1957, the exemption for inexpensive clothing and several other exemptions were removed, and a one percent sales tax on motor vehicles was adopted.<sup>9</sup>
- In 1968, the Legislature increased the sales tax rate from three percent to 4 percent on most goods, increased the rate on motor vehicles from one percent to three percent, and imposed a 4 percent tax on the sale of electricity and the rental of commercial offices and buildings, parking and docks, and certain other items.<sup>10</sup>
- In 1971, the Legislature began taxing motor vehicles at the statewide 4 percent rate.<sup>11</sup>
- In 1982, the Legislature increased the general sales tax rate from 4 percent to 5 percent, with half of the increase (the “local government half-cent sales tax”) pledged to cities and counties to help with property tax relief.<sup>12</sup>
- In 1986, to increase revenue available for the state budget,<sup>13</sup> the Legislature broadened the sales and use tax to include the sale of services.<sup>14</sup>
- After a series of special sessions on the issue, the Legislature repealed the services tax and instead increased the general sales tax rate from 5 percent to six percent, effective January 1, 1988.<sup>15</sup>

### **Commercial (Business) Rent**

Tax is due on the rental of all real property other than agricultural, residential, or certain other property.<sup>16</sup> This tax is commonly referred to as the Business Rent Tax, and applies to all consideration due and payable by the tenant for the right to use or occupy real property.<sup>17</sup> The

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<sup>5</sup> Section 212.055, F.S.

<sup>6</sup> Section 212.054(2)(a), F.S.

<sup>7</sup> FLA. DEP’T OF REVENUE, *Discretionary Sales Surtax Information for Calendar Year 2025*, available at [https://floridarevenue.com/Forms\\_library/current/dr15dss.pdf](https://floridarevenue.com/Forms_library/current/dr15dss.pdf) (last visited June 3, 2025).

<sup>8</sup> Chapter 26319, L.O.F. (1949)

<sup>9</sup> Chapter 57-398, L.O.F.

<sup>10</sup> Chapter 68-27, L.O.F.

<sup>11</sup> Chapter 71-360, L.O.F.

<sup>12</sup> Chapter 82-154, L.O.F.

<sup>13</sup> Florida Department of Revenue, *The Impact of Ch. 86-166, Laws of Florida, 1986* (1986). Walter Hellerstein Papers. 4., p. 2, available at: <https://digitalcommons.law.uga.edu/hellerstein/4/>, (last visited June 2, 2025).

<sup>14</sup> Chapter 86-166, L.O.F.

<sup>15</sup> Chapter 87-548, L.O.F.

<sup>16</sup> Section 212.031, F.S.

<sup>17</sup> Section 212.031(1)(c), F.S.

rate applicable to these charges is based on the time that the tenant uses, occupies, or is entitled to use or occupy the real property, regardless of when the rental payments are made.<sup>18</sup>

Charges for the rental of real property by businesses were first made subject to the sales tax in 1968, at the rate of 4 percent.<sup>19</sup> When the general sales tax rate increased to 5 percent<sup>20</sup> and then six percent,<sup>21</sup> charges for commercial rent increased to those same rates.

Since 2017, the Legislature has reduced the tax on charges for commercial rent. The rate was reduced from six percent to 5.8 percent, effective January 1, 2018.<sup>22</sup> The following year, the rate was reduced from 5.8 percent to 5.7 percent, effective January 1, 2019.<sup>23</sup> In 2019, the rate was reduced to 5.5 percent, effective January 1, 2020.<sup>24</sup> In 2023, the Legislature further reduced the rate from 5.5 percent to 4.5 percent, effective December 1, 2023.<sup>25</sup>

Pursuant to section 14 of Chapter 2021-2, L.O.F., on the first day of the second month following the notification that a specified trust fund had reached a specific balance, the rate was scheduled to be further reduced to two percent. The trust fund reached the specified balance in spring 2024, and the rate reduction to the current two percent rate was effective June 1, 2024.<sup>26</sup>

### **Electricity**

Charges for electricity were first made subject to the sales tax in 1968, at the rate of 4 percent.<sup>27</sup> When the general sales tax rate increased to 5 percent<sup>28</sup> and then six percent,<sup>29</sup> the rates for the sale of electrical power increased to those same rates. In 1992, the rate was further increased to seven percent on electrical power.<sup>30</sup>

In 2014, the sales tax rate was reduced to 4.35 percent on electrical energy.<sup>31</sup>

Since March 1, 1972,<sup>32</sup> only non-residential accounts have been subject to sales tax on electrical energy.<sup>33</sup>

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<sup>18</sup> Section 212.031(1)(e), F.S.

<sup>19</sup> Chapter 68-27, L.O.F.

<sup>20</sup> Chapter 82-154, L.O.F.

<sup>21</sup> Chapter 87-548, L.O.F.

<sup>22</sup> Section 21, Chapter 2017-36, L.O.F.

<sup>23</sup> Section 33, Chapter 2018-118, L.O.F.

<sup>24</sup> Section 5, Chapter 2019-42, L.O.F.

<sup>25</sup> Section 22, Chapter 2023-157, L.O.F.

<sup>26</sup> Florida Department of Revenue, *Taxpayer Information Publication No. 24A01-02*, Issued April 8, 2024, available at: [chrome-extension://efaidnbmnnnibpcajpcglclefindmkaj/https://floridarevenue.com/taxes/tips/Documents/TIP\\_24A01-02.pdf](chrome-extension://efaidnbmnnnibpcajpcglclefindmkaj/https://floridarevenue.com/taxes/tips/Documents/TIP_24A01-02.pdf) (last visited June 2, 2025).

<sup>27</sup> Chapter 68-27, L.O.F.

<sup>28</sup> Chapter 82-154, L.O.F.

<sup>29</sup> Chapter 87-548, L.O.F.

<sup>30</sup> Chapter 92-319, L.O.F.

<sup>31</sup> Section 2, Chapter 2014-38, L.O.F. In the same bill, a gross receipts tax of 2.6 percent on the same sales was levied, in essence shifting this share of the proceeds of this tax to the Public Education Capital Outlay Fund.

<sup>32</sup> Chapter 71-985, L.O.F.

<sup>33</sup> Section 212.08(7)(j), F.S.

## Coin-Operated Amusement Machines

In 1991, the Legislature defined “coin-operated amusement machine” as “any machine operated by coin, slug, token, coupon, or similar device for the purposes of entertainment or amusement. The term includes, but is not limited to, coin-operated pinball machines, music machines, juke boxes, mechanical games, video games, arcade games, billiard tables, moving picture viewers, shooting galleries, and all other similar amusement devices.”<sup>34</sup> The Legislature imposed a six percent tax rate on such machines.<sup>35</sup> The tax was lowered to 4 percent effective January 1, 1995.<sup>36</sup>

## Mobile Homes

Mobile Homes have been subject to sales tax since 1985.<sup>37</sup> In 2022, the legislature reduced the tax rate on the sale of a new mobile home from six percent to three percent.<sup>38</sup> Mobile home has the same definition as s. 319.001, Florida Statutes, as “a mobile home the equitable or legal title to which has never been transferred by a manufacturer, distributor, importer, or dealer to an ultimate purchaser;”

### III. Effect of Proposed Changes:

The bill reduces the general rate of Florida’s sales tax, by 0.75 percent. (Sections 2, 4, 5, 6, 9, 10, and 11)

In addition, the bill also reduces all other sales tax rates by 0.75 percent:

- The rate on commercial rent is decreased from two to 1.25 percent (Section 3), The rate on electricity is decreased from 4.35 to 3.6 percent (Sections 1, 5, and 7)
- The rate on sales of new mobile homes is decreased from three to 2.25 percent (Section 5), and
- The rate on coin-operated amusement machines is decreased from 4 to 3.25 percent (Section 5).

To implement the rate change provisions, the bill makes technical changes to implement these rate changes, including updates to divisors used for sales from amusement machines and vending machines (Section 5 and 8).

The bill provides Department of Revenue with emergency rulemaking authority (Section 12). The bill becomes effective July 1, 2025 (Section 13). The emergency rulemaking provision become effective upon becoming a law.

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<sup>34</sup> Section 170, Chapter 91-112, L.O.F.

<sup>35</sup> Id.

<sup>36</sup> Chapter 96-397, L.O.F.

<sup>37</sup> Chapter 85-348, L.O.F.

<sup>38</sup> Chapter 2022-97, L.O.F.

**IV. Constitutional Issues:****A. Municipality/County Mandates Restrictions:**

Article VII, s. 18(b) of the Florida Constitution provides that, except upon the approval of each house of the Legislature by a two-thirds vote of the membership, the Legislature may not enact, amend, or repeal any general law if the anticipated effect of doing so would be to reduce the authority that municipalities or counties have to raise revenue in the aggregate, as such authority existed on February 1, 1989. However, the mandates requirements do not apply to laws having an insignificant impact,<sup>39</sup> which is \$2.4 million or less for Fiscal Year 2025-2026.<sup>40</sup>

The bill does not reduce the authority local governments have to raise revenue because the rate reduction does not affect the local option sales tax; therefore, this bill may not be a mandate subject to the requirements of Art. VII, s. 18(b) of the Florida Constitution.

**B. Public Records/Open Meetings Issues:**

None.

**C. Trust Funds Restrictions:**

None.

**D. State Tax or Fee Increases:**

This bill does not create or raise a state tax or fee. Therefore, the requirements of Art. VII, s. 19 of the Florida Constitution do not apply.

**E. Other Constitutional Issues:**

None identified.

**V. Fiscal Impact Statement:****A. Tax/Fee Issues:**

The Revenue Estimating Conference determined that the bill will reduce revenues by \$4,978.3 million in Fiscal Year 2025-2026, \$5,591.7 million in Fiscal Year 2026-2027, and \$5,755.9 million each year thereafter.

---

<sup>39</sup> FLA. CONST. art. VII, s. 18(d). An insignificant fiscal impact is the amount not greater than the average statewide population for the applicable fiscal year multiplied by \$0.10. See FLA. SENATE COMM. ON CMY. AFFAIRS, Interim Report 2012-115: Insignificant Impact, (September 2011), available at <http://www.flsenate.gov/PublishedContent/Session/2012/InterimReports/2012-115ca.pdf> (last visited April 13, 2025).

<sup>40</sup> Based on the Demographic Estimating Conference's estimated population adopted on February 4, 2025. The conference packet is available at [https://edr.state.fl.us/Content/conferences/population/ConferenceResults\\_Tables.pdf](https://edr.state.fl.us/Content/conferences/population/ConferenceResults_Tables.pdf) (last visited April 13, 2025).

General revenue will decrease by \$4,483.2 million in Fiscal Year 2025-2026, \$5,035.5 million in Fiscal Year 2026-2027, and \$5,183.3 million each year thereafter.

Local revenues will decrease by \$494.8 million in Fiscal Year 2025-2026, \$555.8 million in Fiscal Year 2026-2027, and \$572.2 million each year thereafter. The bill does not affect local option sales tax revenues.

Trust fund revenues will decrease by \$0.3 million in Fiscal Year 2025-2026, \$0.4 million in Fiscal Year 2026-2027, and \$0.4 million each year thereafter.

**B. Private Sector Impact:**

None.

**C. Government Sector Impact:**

None.

**VI. Technical Deficiencies:**

None.

**VII. Related Issues:**

None.

**VIII. Statutes Affected:**

This bill substantially amends the following sections of the Florida Statutes: 203.0011, 212.03, 212.031, 212.04, 212.05, 212.0501, 212.05011, 212.0515, 212.0506, 212.06, and 212.08

**IX. Additional Information:**

**A. Committee Substitute – Statement of Changes:**

(Summarizing differences between the Committee Substitute and the prior version of the bill.)

None.

**B. Amendments:**

**Barcode 535388 by Appropriations on June 5, 2025:**

This amendment deletes everything and does not insert additional language.  
(WITH TITLE AMENDMENT)



535388

LEGISLATIVE ACTION

Senate	.	House
Comm: FAV	.	
06/05/2025	.	
Floor: 1/AD/2R	.	
06/05/2025 04:16 PM	.	
	.	

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The Committee on Appropriations (Hooper) recommended the following:

**Senate Amendment (with title amendment)**

Delete everything after the enacting clause.

===== 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 taxation; providing an effective



535388

11

date.

1 A bill to be entitled  
 2 An act relating to sales tax rate reductions; amending  
 3 ss. 203.0011, 212.03, 212.031, 212.04, 212.05,  
 4 212.0501, 212.05011, 212.0515, 212.0506, 212.06, and  
 5 212.08 F.S.; decreasing specified tax rates;  
 6 authorizing the Department of Revenue to adopt  
 7 emergency rules; providing effective dates.

8  
 9 Be It Enacted by the Legislature of the State of Florida:

10  
 11 **Section 1. Section 203.0011, Florida Statutes, is amended**  
 12 **to read:**

13 203.0011 Combined rate for tax collected pursuant to ss.  
 14 203.01(1)(b)4. and 212.05(1)(e)1.c.—In complying with the  
 15 amendments to ss. 203.01 and 212.05, relating to the additional  
 16 tax on electrical power or energy, made by this act, a seller of  
 17 electrical power or energy may collect a combined rate of 6.2  
 18 ~~6.95~~ percent, which consists of the 3.6 ~~4.35~~ percent and 2.6  
 19 percent required under ss. 212.05(1)(e)1.c. and 203.01(1)(b)4.,  
 20 respectively, if the provider properly reflects the tax  
 21 collected with respect to the two provisions as required in the  
 22 return to the Department of Revenue.

23 **Section 2. Paragraph (a) of subsection (1), subsection**  
 24 **(3), and paragraph (a) of subsection (6) of section 212.03,**  
 25 **Florida Statutes, are amended to read:**

26 212.03 Transient rentals tax; rate, procedure,  
 27 enforcement, exemptions.—  
 28 (1)(a) It is hereby declared to be the legislative intent  
 29 that every person is exercising a taxable privilege who engages  
 30 in the business of renting, leasing, letting, or granting a  
 31 license to use any living quarters or sleeping or housekeeping  
 32 accommodations in, from, or a part of, or in connection with any  
 33 hotel, apartment house, roominghouse, tourist or trailer camp,  
 34 mobile home park, recreational vehicle park, condominium, or  
 35 timeshare resort. However, any person who rents, leases, lets,  
 36 or grants a license to others to use, occupy, or enter upon any  
 37 living quarters or sleeping or housekeeping accommodations in  
 38 any apartment house, roominghouse, tourist camp, trailer camp,  
 39 mobile home park, recreational vehicle park, condominium, or  
 40 timeshare resort and who exclusively enters into a bona fide  
 41 written agreement for continuous residence for longer than 6  
 42 months in duration at such property is not exercising a taxable  
 43 privilege. For the exercise of such taxable privilege, a tax is  
 44 hereby levied in an amount equal to 5.25 ~~6~~ percent of and on the  
 45 total rental charged for such living quarters or sleeping or  
 46 housekeeping accommodations by the person charging or collecting  
 47 the rental. Such tax shall apply to hotels, apartment houses,  
 48 roominghouses, tourist or trailer camps, mobile home parks,  
 49 recreational vehicle parks, condominiums, or timeshare resorts,  
 50 whether or not these facilities have dining rooms, cafes, or

51 other places where meals or lunches are sold or served to  
52 guests.

53 (3) When rentals are received by way of property, goods,  
54 wares, merchandise, services, or other things of value, the tax  
55 shall be at the rate of 5.25 ~~6~~ percent of the value of the  
56 property, goods, wares, merchandise, services, or other things  
57 of value.

58 (6) The Legislature finds that every person who leases or  
59 rents parking or storage spaces for motor vehicles in parking  
60 lots or garages, including storage facilities for towed  
61 vehicles, who leases or rents docking or storage spaces for  
62 boats in boat docks or marinas, or who leases or rents tie-down  
63 or storage space for aircraft at airports is engaging in a  
64 taxable privilege.

65 (a) For the exercise of this privilege, a tax is hereby  
66 levied at the rate of 5.25 ~~6~~ percent on the total rental  
67 charged.

68 **Section 3. Paragraphs (c) and (d) of subsection (1) of**  
69 **section 212.031, Florida Statutes, are amended to read:**

70 212.031 Tax on rental or license fee for use of real  
71 property.—

72 (1)

73 (c) For the exercise of such privilege, a tax is levied at  
74 the rate of 1.25 ~~2-0~~ percent of and on the total rent or license  
75 fee charged for such real property by the person charging or

76 collecting the rental or license fee. The total rent or license  
77 fee charged for such real property shall include payments for  
78 the granting of a privilege to use or occupy real property for  
79 any purpose and shall include base rent, percentage rents, or  
80 similar charges. Such charges shall be included in the total  
81 rent or license fee subject to tax under this section whether or  
82 not they can be attributed to the ability of the lessor's or  
83 licensor's property as used or operated to attract customers.  
84 Payments for intrinsically valuable personal property such as  
85 franchises, trademarks, service marks, logos, or patents are not  
86 subject to tax under this section. In the case of a contractual  
87 arrangement that provides for both payments taxable as total  
88 rent or license fee and payments not subject to tax, the tax  
89 shall be based on a reasonable allocation of such payments and  
90 shall not apply to that portion which is for the nontaxable  
91 payments.

92 (d) If the rental or license fee of any such real property  
93 is paid by way of property, goods, wares, merchandise, services,  
94 or other thing of value, the tax shall be at the rate of 1.25  
95 ~~2-0~~ percent of the value of the property, goods, wares,  
96 merchandise, services, or other thing of value.

97 **Section 4. Paragraph (b) of subsection (1) and paragraph**  
98 **(a) of subsection (2) of section 212.04, Florida Statutes, are**  
99 **amended to read:**

100 212.04 Admissions tax; rate, procedure, enforcement.—

101 (1)

102 (b) For the exercise of such privilege, a tax is levied at

103 the rate of 5.25 ~~6~~ percent of sales price, or the actual value

104 received from such admissions, which 5.25 ~~6~~ percent shall be

105 added to and collected with all such admissions from the

106 purchaser thereof, and such tax shall be paid for the exercise

107 of the privilege as defined in the preceding paragraph. Each

108 ticket must show on its face the actual sales price of the

109 admission, or each dealer selling the admission must prominently

110 display at the box office or other place where the admission

111 charge is made a notice disclosing the price of the admission,

112 and the tax shall be computed and collected on the basis of the

113 actual price of the admission charged by the dealer. The sale

114 price or actual value of admission shall, for the purpose of

115 this chapter, be that price remaining after deduction of federal

116 taxes and state or locally imposed or authorized seat

117 surcharges, taxes, or fees, if any, imposed upon such admission.

118 The sale price or actual value does not include separately

119 stated ticket service charges that are imposed by a facility

120 ticket office or a ticketing service and added to a separately

121 stated, established ticket price. The rate of tax on each

122 admission shall be according to the algorithm provided in s.

123 212.12.

124 (2) (a) A tax may not be levied on:

125 1. Admissions to athletic or other events sponsored by

126 elementary schools, junior high schools, middle schools, high

127 schools, community colleges, public or private colleges and

128 universities, deaf and blind schools, facilities of the youth

129 services programs of the Department of Children and Families,

130 and state correctional institutions if only student, faculty, or

131 inmate talent is used. However, this exemption does not apply to

132 admission to athletic events sponsored by a state university,

133 and the proceeds of the tax collected on such admissions shall

134 be retained and used by each institution to support women's

135 athletics as provided in s. 1006.71(2)(c).

136 2. Dues, membership fees, and admission charges imposed by

137 not-for-profit sponsoring organizations. To receive this

138 exemption, the sponsoring organization must qualify as a not-

139 for-profit entity under s. 501(c)(3) of the Internal Revenue

140 Code of 1954, as amended.

141 3. Admission charges to an event sponsored by a

142 governmental entity, sports authority, or sports commission if

143 held in a convention hall, exhibition hall, auditorium, stadium,

144 theater, arena, civic center, performing arts center, or

145 publicly owned recreational facility and if 100 percent of the

146 risk of success or failure lies with the sponsor of the event

147 and 100 percent of the funds at risk for the event belong to the

148 sponsor, and student or faculty talent is not exclusively used.

149 As used in this subparagraph, the terms "sports authority" and

150 "sports commission" mean a nonprofit organization that is exempt

151 from federal income tax under s. 501(c)(3) of the Internal  
 152 Revenue Code and that contracts with a county or municipal  
 153 government for the purpose of promoting and attracting sports-  
 154 tourism events to the community with which it contracts.

155 4. An admission paid by a student, or on the student's  
 156 behalf, to any required place of sport or recreation if the  
 157 student's participation in the sport or recreational activity is  
 158 required as a part of a program or activity sponsored by, and  
 159 under the jurisdiction of, the student's educational institution  
 160 if his or her attendance is as a participant and not as a  
 161 spectator.

162 5. Admissions to the National Football League championship  
 163 game or Pro Bowl; admissions to any semifinal game or  
 164 championship game of a national collegiate tournament;  
 165 admissions to a Major League Baseball, Major League Soccer,  
 166 National Basketball Association, or National Hockey League all-  
 167 star game; admissions to the Major League Baseball Home Run  
 168 Derby held before the Major League Baseball All-Star Game;  
 169 admissions to any FIFA World Cup match sanctioned by the  
 170 Fédération Internationale de Football Association (FIFA),  
 171 including any qualifying match held up to 12 months before the  
 172 FIFA World Cup matches; admissions to any Formula One Grand Prix  
 173 race sanctioned by the Fédération Internationale de  
 174 l'Automobile, including any qualifying or support races held at  
 175 the circuit up to 72 hours before the grand prix race;

176 admissions to the Daytona 500 sanctioned by the National  
 177 Association for Stock Car Auto Racing, including any qualifying  
 178 or support races held at the same track up to 72 hours before  
 179 the race; or admissions to National Basketball Association all-  
 180 star events produced by the National Basketball Association and  
 181 held at a facility such as an arena, convention center, or  
 182 municipal facility.

183 6. A participation fee or sponsorship fee imposed by a  
 184 governmental entity as described in s. 212.08(6) for an athletic  
 185 or recreational program if the governmental entity by itself, or  
 186 in conjunction with an organization exempt under s. 501(c)(3) of  
 187 the Internal Revenue Code of 1954, as amended, sponsors,  
 188 administers, plans, supervises, directs, and controls the  
 189 athletic or recreational program.

190 7. Admissions to live theater, live opera, or live ballet  
 191 productions in this state which are sponsored by an organization  
 192 that has received a determination from the Internal Revenue  
 193 Service that the organization is exempt from federal income tax  
 194 under s. 501(c)(3) of the Internal Revenue Code of 1954, as  
 195 amended, if the organization actively participates in planning  
 196 and conducting the event; is responsible for the safety and  
 197 success of the event; is organized for the purpose of sponsoring  
 198 live theater, live opera, or live ballet productions in this  
 199 state; has more than 10,000 subscribing members and has among  
 200 the stated purposes in its charter the promotion of arts

201 education in the communities it serves; and will receive at  
 202 least 20 percent of the net profits, if any, of the events the  
 203 organization sponsors and will bear the risk of at least 20  
 204 percent of the losses, if any, from the events it sponsors if  
 205 the organization employs other persons as agents to provide  
 206 services in connection with a sponsored event. Before March 1 of  
 207 each year, such organization may apply to the department for a  
 208 certificate of exemption for admissions to such events sponsored  
 209 in this state by the organization during the immediately  
 210 following state fiscal year. The application must state the  
 211 total dollar amount of admissions receipts collected by the  
 212 organization or its agents from such events in this state  
 213 sponsored by the organization or its agents in the year  
 214 immediately preceding the year in which the organization applies  
 215 for the exemption. Such organization shall receive the exemption  
 216 only to the extent of \$1.5 million multiplied by the ratio that  
 217 such receipts bear to the total of such receipts of all  
 218 organizations applying for the exemption in such year; however,  
 219 such exemption granted to any organization may not exceed 5.25 %  
 220 percent of such admissions receipts collected by the  
 221 organization or its agents in the year immediately preceding the  
 222 year in which the organization applies for the exemption. Each  
 223 organization receiving the exemption shall report each month to  
 224 the department the total admissions receipts collected from such  
 225 events sponsored by the organization during the preceding month

226 and shall remit to the department an amount equal to 5.25 %  
 227 percent of such receipts reduced by any amount remaining under  
 228 the exemption. Tickets for such events sold by such  
 229 organizations may not reflect the tax otherwise imposed under  
 230 this section.

231 8. Entry fees for participation in freshwater fishing  
 232 tournaments.

233 9. Participation or entry fees charged to participants in  
 234 a game, race, or other sport or recreational event if spectators  
 235 are charged a taxable admission to such event.

236 10. Admissions to any postseason collegiate football game  
 237 sanctioned by the National Collegiate Athletic Association.

238 11. Admissions to and membership fees for gun clubs. For  
 239 purposes of this subparagraph, the term "gun club" means an  
 240 organization whose primary purpose is to offer its members  
 241 access to one or more shooting ranges for target or skeet  
 242 shooting.

243 **Section 5. Paragraphs (a) through (k) and (n) of**  
 244 **subsection (1) of section 212.05, Florida Statutes, are amended**  
 245 **to read:**

246 212.05 Sales, storage, use tax.—It is hereby declared to  
 247 be the legislative intent that every person is exercising a  
 248 taxable privilege who engages in the business of selling  
 249 tangible personal property at retail in this state, including  
 250 the business of making or facilitating remote sales; who rents

251 or furnishes any of the things or services taxable under this  
 252 chapter; or who stores for use or consumption in this state any  
 253 item or article of tangible personal property as defined herein  
 254 and who leases or rents such property within the state.

255 (1) For the exercise of such privilege, a tax is levied on  
 256 each taxable transaction or incident, which tax is due and  
 257 payable as follows:

258 (a)1.a. At the rate of 5.25 ~~6~~ percent of the sales price  
 259 of each item or article of tangible personal property when sold  
 260 at retail in this state, computed on each taxable sale for the  
 261 purpose of remitting the amount of tax due the state, and  
 262 including each and every retail sale.

263 b. Each occasional or isolated sale of an aircraft, boat,  
 264 mobile home, or motor vehicle of a class or type which is  
 265 required to be registered, licensed, titled, or documented in  
 266 this state or by the United States Government shall be subject  
 267 to tax at the rate provided in this paragraph. The department  
 268 shall by rule adopt any nationally recognized publication for  
 269 valuation of used motor vehicles as the reference price list for  
 270 any used motor vehicle which is required to be licensed pursuant  
 271 to s. 320.08(1), (2), (3)(a), (b), (c), or (e), or (9). If any  
 272 party to an occasional or isolated sale of such a vehicle  
 273 reports to the tax collector a sales price which is less than 80  
 274 percent of the average loan price for the specified model and  
 275 year of such vehicle as listed in the most recent reference

276 price list, the tax levied under this paragraph shall be  
 277 computed by the department on such average loan price unless the  
 278 parties to the sale have provided to the tax collector an  
 279 affidavit signed by each party, or other substantial proof,  
 280 stating the actual sales price. Any party to such sale who  
 281 reports a sales price less than the actual sales price is guilty  
 282 of a misdemeanor of the first degree, punishable as provided in  
 283 s. 775.082 or s. 775.083. The department shall collect or  
 284 attempt to collect from such party any delinquent sales taxes.  
 285 In addition, such party shall pay any tax due and any penalty  
 286 and interest assessed plus a penalty equal to twice the amount  
 287 of the additional tax owed. Notwithstanding any other provision  
 288 of law, the Department of Revenue may waive or compromise any  
 289 penalty imposed pursuant to this subparagraph.

290 2. This paragraph does not apply to the sale of a boat or  
 291 aircraft by or through a registered dealer under this chapter to  
 292 a purchaser who, at the time of taking delivery, is a  
 293 nonresident of this state, does not make his or her permanent  
 294 place of abode in this state, and is not engaged in carrying on  
 295 in this state any employment, trade, business, or profession in  
 296 which the boat or aircraft will be used in this state, or is a  
 297 corporation none of the officers or directors of which is a  
 298 resident of, or makes his or her permanent place of abode in,  
 299 this state, or is a noncorporate entity that has no individual  
 300 vested with authority to participate in the management,

301 direction, or control of the entity's affairs who is a resident  
 302 of, or makes his or her permanent abode in, this state. For  
 303 purposes of this exemption, either a registered dealer acting on  
 304 his or her own behalf as seller, a registered dealer acting as  
 305 broker on behalf of a seller, or a registered dealer acting as  
 306 broker on behalf of the nonresident purchaser may be deemed to  
 307 be the selling dealer. This exemption is not allowed unless:

308 a. The nonresident purchaser removes a qualifying boat, as  
 309 described in sub-subparagraph f., from this state within 90 days  
 310 after the date of purchase or extension, or the nonresident  
 311 purchaser removes a nonqualifying boat or an aircraft from this  
 312 state within 10 days after the date of purchase or, when the  
 313 boat or aircraft is repaired or altered, within 20 days after  
 314 completion of the repairs or alterations; or if the aircraft  
 315 will be registered in a foreign jurisdiction and:

316 (I) Application for the aircraft's registration is  
 317 properly filed with a civil airworthiness authority of a foreign  
 318 jurisdiction within 10 days after the date of purchase;

319 (II) The nonresident purchaser removes the aircraft from  
 320 this state to a foreign jurisdiction within 10 days after the  
 321 date the aircraft is registered by the applicable foreign  
 322 airworthiness authority; and

323 (III) The aircraft is operated in this state solely to  
 324 remove it from this state to a foreign jurisdiction.  
 325

326 For purposes of this sub-subparagraph, the term "foreign  
 327 jurisdiction" means any jurisdiction outside of the United  
 328 States or any of its territories;

329 b. The nonresident purchaser, within 90 days after the  
 330 date of departure, provides the department with written proof  
 331 that the nonresident purchaser licensed, registered, titled, or  
 332 documented the boat or aircraft outside this state. If such  
 333 written proof is unavailable, within 90 days the nonresident  
 334 purchaser must provide proof that the nonresident purchaser  
 335 applied for such license, title, registration, or documentation.  
 336 The nonresident purchaser shall forward to the department proof  
 337 of title, license, registration, or documentation upon receipt;

338 c. The nonresident purchaser, within 30 days after  
 339 removing the boat or aircraft from this state, furnishes the  
 340 department with proof of removal in the form of receipts for  
 341 fuel, dockage, slippage, tie-down, or hangaring from outside of  
 342 Florida. The information so provided must clearly and  
 343 specifically identify the boat or aircraft;

344 d. The selling dealer, within 30 days after the date of  
 345 sale, provides to the department a copy of the sales invoice,  
 346 closing statement, bills of sale, and the original affidavit  
 347 signed by the nonresident purchaser affirming that the  
 348 nonresident purchaser qualifies for exemption from sales tax  
 349 pursuant to this subparagraph and attesting that the nonresident  
 350 purchaser will provide the documentation required to

351 substantiate the exemption claimed under this subparagraph;  
 352 e. The seller makes a copy of the affidavit a part of his  
 353 or her record for as long as required by s. 213.35; and  
 354 f. Unless the nonresident purchaser of a boat of 5 net  
 355 tons of admeasurement or larger intends to remove the boat from  
 356 this state within 10 days after the date of purchase or when the  
 357 boat is repaired or altered, within 20 days after completion of  
 358 the repairs or alterations, the nonresident purchaser applies to  
 359 the selling dealer for a decal which authorizes 90 days after  
 360 the date of purchase for removal of the boat. The nonresident  
 361 purchaser of a qualifying boat may apply to the selling dealer  
 362 within 60 days after the date of purchase for an extension decal  
 363 that authorizes the boat to remain in this state for an  
 364 additional 90 days, but not more than a total of 180 days,  
 365 before the nonresident purchaser is required to pay the tax  
 366 imposed by this chapter. The department is authorized to issue  
 367 decals in advance to dealers. The number of decals issued in  
 368 advance to a dealer shall be consistent with the volume of the  
 369 dealer's past sales of boats which qualify under this sub-  
 370 subparagraph. The selling dealer or his or her agent shall mark  
 371 and affix the decals to qualifying boats in the manner  
 372 prescribed by the department, before delivery of the boat.  
 373 (I) The department is hereby authorized to charge dealers  
 374 a fee sufficient to recover the costs of decals issued, except  
 375 the extension decal shall cost \$425.

376 (II) The proceeds from the sale of decals will be  
 377 deposited into the administrative trust fund.  
 378 (III) Decals shall display information to identify the  
 379 boat as a qualifying boat under this sub-subparagraph,  
 380 including, but not limited to, the decal's date of expiration.  
 381 (IV) The department is authorized to require dealers who  
 382 purchase decals to file reports with the department and may  
 383 prescribe all necessary records by rule. All such records are  
 384 subject to inspection by the department.  
 385 (V) Any dealer or his or her agent who issues a decal  
 386 falsely, fails to affix a decal, mismarks the expiration date of  
 387 a decal, or fails to properly account for decals will be  
 388 considered prima facie to have committed a fraudulent act to  
 389 evade the tax and will be liable for payment of the tax plus a  
 390 mandatory penalty of 200 percent of the tax, and shall be liable  
 391 for fine and punishment as provided by law for a conviction of a  
 392 misdemeanor of the first degree, as provided in s. 775.082 or s.  
 393 775.083.  
 394 (VI) Any nonresident purchaser of a boat who removes a  
 395 decal before permanently removing the boat from this state, or  
 396 defaces, changes, modifies, or alters a decal in a manner  
 397 affecting its expiration date before its expiration, or who  
 398 causes or allows the same to be done by another, will be  
 399 considered prima facie to have committed a fraudulent act to  
 400 evade the tax and will be liable for payment of the tax plus a

401 mandatory penalty of 200 percent of the tax, and shall be liable  
 402 for fine and punishment as provided by law for a conviction of a  
 403 misdemeanor of the first degree, as provided in s. 775.082 or s.  
 404 775.083.

405 (VII) The department is authorized to adopt rules  
 406 necessary to administer and enforce this subparagraph and to  
 407 publish the necessary forms and instructions.

408 (VIII) The department is hereby authorized to adopt  
 409 emergency rules pursuant to s. 120.54(4) to administer and  
 410 enforce the provisions of this subparagraph.

411  
 412 If the nonresident purchaser fails to remove the qualifying boat  
 413 from this state within the maximum 180 days after purchase or a  
 414 nonqualifying boat or an aircraft from this state within 10 days  
 415 after purchase or, when the boat or aircraft is repaired or  
 416 altered, within 20 days after completion of such repairs or  
 417 alterations, or permits the boat or aircraft to return to this  
 418 state within 6 months after the date of departure, except as  
 419 provided in s. 212.08(7)(fff), or if the nonresident purchaser  
 420 fails to furnish the department with any of the documentation  
 421 required by this subparagraph within the prescribed time period,  
 422 the nonresident purchaser is liable for use tax on the cost  
 423 price of the boat or aircraft and, in addition thereto, payment  
 424 of a penalty to the Department of Revenue equal to the tax  
 425 payable. This penalty is in lieu of the penalty imposed by s.

426 212.12(2). The maximum 180-day period following the sale of a  
 427 qualifying boat tax-exempt to a nonresident may not be tolled  
 428 for any reason.

429 (b) At the rate of 5.25 ~~6~~ percent of the cost price of  
 430 each item or article of tangible personal property when the same  
 431 is not sold but is used, consumed, distributed, or stored for  
 432 use or consumption in this state; however, for tangible property  
 433 originally purchased exempt from tax for use exclusively for  
 434 lease and which is converted to the owner's own use, tax may be  
 435 paid on the fair market value of the property at the time of  
 436 conversion. If the fair market value of the property cannot be  
 437 determined, use tax at the time of conversion shall be based on  
 438 the owner's acquisition cost. Under no circumstances may the  
 439 aggregate amount of sales tax from leasing the property and use  
 440 tax due at the time of conversion be less than the total sales  
 441 tax that would have been due on the original acquisition cost  
 442 paid by the owner.

443 (c) At the rate of 5.25 ~~6~~ percent of the gross proceeds  
 444 derived from the lease or rental of tangible personal property,  
 445 as defined herein; however, the following special provisions  
 446 apply to the lease or rental of motor vehicles and to peer-to-  
 447 peer car-sharing programs:

448 1. When a motor vehicle is leased or rented by a motor  
 449 vehicle rental company or through a peer-to-peer car-sharing  
 450 program as those terms are defined in s. 212.0606(1) for a

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451 period of less than 12 months:

452 a. If the motor vehicle is rented in Florida, the entire  
453 amount of such rental is taxable, even if the vehicle is dropped  
454 off in another state.

455 b. If the motor vehicle is rented in another state and  
456 dropped off in Florida, the rental is exempt from Florida tax.

457 c. If the motor vehicle is rented through a peer-to-peer  
458 car-sharing program, the peer-to-peer car-sharing program shall  
459 collect and remit the applicable tax due in connection with the  
460 rental.

461 2. Except as provided in subparagraph 3., for the lease or  
462 rental of a motor vehicle for a period of not less than 12  
463 months, sales tax is due on the lease or rental payments if the  
464 vehicle is registered in this state; provided, however, that no  
465 tax shall be due if the taxpayer documents use of the motor  
466 vehicle outside this state and tax is being paid on the lease or  
467 rental payments in another state.

468 3. The tax imposed by this chapter does not apply to the  
469 lease or rental of a commercial motor vehicle as defined in s.  
470 316.003(14) (a) to one lessee or rentee, or of a motor vehicle as  
471 defined in s. 316.003 which is to be used primarily in the trade  
472 or established business of the lessee or rentee, for a period of  
473 not less than 12 months when tax was paid on the purchase price  
474 of such vehicle by the lessor. To the extent tax was paid with  
475 respect to the purchase of such vehicle in another state,

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476 territory of the United States, or the District of Columbia, the  
477 Florida tax payable shall be reduced in accordance with s.  
478 212.06(7). This subparagraph shall only be available when the  
479 lease or rental of such property is an established business or  
480 part of an established business or the same is incidental or  
481 germane to such business.

482 (d) At the rate of 5.25 ~~6~~ percent of the lease or rental  
483 price paid by a lessee or rentee, or contracted or agreed to be  
484 paid by a lessee or rentee, to the owner of the tangible  
485 personal property.

486 (e)1. At the rate of 5.25 ~~6~~ percent on charges for:

487 a. Prepaid calling arrangements. The tax on charges for  
488 prepaid calling arrangements shall be collected at the time of  
489 sale and remitted by the selling dealer.

490 (I) "Prepaid calling arrangement" has the same meaning as  
491 provided in s. 202.11.

492 (II) If the sale or recharge of the prepaid calling  
493 arrangement does not take place at the dealer's place of  
494 business, it shall be deemed to have taken place at the  
495 customer's shipping address or, if no item is shipped, at the  
496 customer's address or the location associated with the  
497 customer's mobile telephone number.

498 (III) The sale or recharge of a prepaid calling  
499 arrangement shall be treated as a sale of tangible personal  
500 property for purposes of this chapter, regardless of whether a

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501 | tangible item evidencing such arrangement is furnished to the  
 502 | purchaser, and such sale within this state subjects the selling  
 503 | dealer to the jurisdiction of this state for purposes of this  
 504 | subsection.

505 | (IV) No additional tax under this chapter or chapter 202  
 506 | is due or payable if a purchaser of a prepaid calling  
 507 | arrangement who has paid tax under this chapter on the sale or  
 508 | recharge of such arrangement applies one or more units of the  
 509 | prepaid calling arrangement to obtain communications services as  
 510 | described in s. 202.11(9)(b)3., other services that are not  
 511 | communications services, or products.

512 | b. The installation of telecommunication and telegraphic  
 513 | equipment.

514 | c. Electrical power or energy, except that the tax rate  
 515 | for charges for electrical power or energy is 3.6 ~~4-35~~ percent.  
 516 | Charges for electrical power and energy do not include taxes  
 517 | imposed under ss. 166.231 and 203.01(1)(a)3.

518 | 2. Section 212.17(3), regarding credit for tax paid on  
 519 | charges subsequently found to be worthless, is equally  
 520 | applicable to any tax paid under this section on charges for  
 521 | prepaid calling arrangements, telecommunication or telegraph  
 522 | services, or electric power subsequently found to be  
 523 | uncollectible. As used in this paragraph, the term "charges"  
 524 | does not include any excise or similar tax levied by the Federal  
 525 | Government, a political subdivision of this state, or a

526 | municipality upon the purchase, sale, or recharge of prepaid  
 527 | calling arrangements or upon the purchase or sale of  
 528 | telecommunication, television system program, or telegraph  
 529 | service or electric power, which tax is collected by the seller  
 530 | from the purchaser.

531 | (f) At the rate of 5.25 ~~6~~ percent on the sale, rental,  
 532 | use, consumption, or storage for use in this state of machines  
 533 | and equipment, and parts and accessories therefor, used in  
 534 | manufacturing, processing, compounding, producing, mining, or  
 535 | quarrying personal property for sale or to be used in furnishing  
 536 | communications, transportation, or public utility services.

537 | (g)1. At the rate of 5.25 ~~6~~ percent on the retail price of  
 538 | newspapers and magazines sold or used in Florida.

539 | 2. Notwithstanding other provisions of this chapter,  
 540 | inserts of printed materials which are distributed with a  
 541 | newspaper or magazine are a component part of the newspaper or  
 542 | magazine, and neither the sale nor use of such inserts is  
 543 | subject to tax when:

544 | a. Printed by a newspaper or magazine publisher or  
 545 | commercial printer and distributed as a component part of a  
 546 | newspaper or magazine, which means that the items after being  
 547 | printed are delivered directly to a newspaper or magazine  
 548 | publisher by the printer for inclusion in editions of the  
 549 | distributed newspaper or magazine;

550 | b. Such publications are labeled as part of the designated

551 newspaper or magazine publication into which they are to be  
 552 inserted; and  
 553 c. The purchaser of the insert presents a resale  
 554 certificate to the vendor stating that the inserts are to be  
 555 distributed as a component part of a newspaper or magazine.  
 556 (h)1. A tax is imposed at the rate of 3.25 4 percent on  
 557 the charges for the use of coin-operated amusement machines. The  
 558 tax shall be calculated by dividing the gross receipts from such  
 559 charges for the applicable reporting period by a divisor,  
 560 determined as provided in this subparagraph, to compute gross  
 561 taxable sales, and then subtracting gross taxable sales from  
 562 gross receipts to arrive at the amount of tax due. For counties  
 563 that do not impose a discretionary sales surtax, the divisor is  
 564 equal to 1.0325 ~~1.04~~; for counties that impose a 0.5 percent  
 565 discretionary sales surtax, the divisor is equal to 1.0375  
 566 ~~1.045~~; for counties that impose a 1 percent discretionary sales  
 567 surtax, the divisor is equal to 1.0425 ~~1.050~~; and for counties  
 568 that impose a 2 percent sales surtax, the divisor is equal to  
 569 1.0525 ~~1.060~~. If a county imposes a discretionary sales surtax  
 570 that is not listed in this subparagraph, the department shall  
 571 make the applicable divisor available in an electronic format or  
 572 otherwise. Additional divisors shall bear the same mathematical  
 573 relationship to the next higher and next lower divisors as the  
 574 new surtax rate bears to the next higher and next lower surtax  
 575 rates for which divisors have been established. When a machine

576 is activated by a slug, token, coupon, or any similar device  
 577 which has been purchased, the tax is on the price paid by the  
 578 user of the device for such device.  
 579 2. As used in this paragraph, the term "operator" means  
 580 any person who possesses a coin-operated amusement machine for  
 581 the purpose of generating sales through that machine and who is  
 582 responsible for removing the receipts from the machine.  
 583 a. If the owner of the machine is also the operator of it,  
 584 he or she shall be liable for payment of the tax without any  
 585 deduction for rent or a license fee paid to a location owner for  
 586 the use of any real property on which the machine is located.  
 587 b. If the owner or lessee of the machine is also its  
 588 operator, he or she shall be liable for payment of the tax on  
 589 the purchase or lease of the machine, as well as the tax on  
 590 sales generated through the machine.  
 591 c. If the proprietor of the business where the machine is  
 592 located does not own the machine, he or she shall be deemed to  
 593 be the lessee and operator of the machine and is responsible for  
 594 the payment of the tax on sales, unless such responsibility is  
 595 otherwise provided for in a written agreement between him or her  
 596 and the machine owner.  
 597 3.a. An operator of a coin-operated amusement machine may  
 598 not operate or cause to be operated in this state any such  
 599 machine until the operator has registered with the department  
 600 and has conspicuously displayed an identifying certificate

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601 issued by the department. The identifying certificate shall be  
 602 issued by the department upon application from the operator. The  
 603 identifying certificate shall include a unique number, and the  
 604 certificate shall be permanently marked with the operator's  
 605 name, the operator's sales tax number, and the maximum number of  
 606 machines to be operated under the certificate. An identifying  
 607 certificate shall not be transferred from one operator to  
 608 another. The identifying certificate must be conspicuously  
 609 displayed on the premises where the coin-operated amusement  
 610 machines are being operated.

611 b. The operator of the machine must obtain an identifying  
 612 certificate before the machine is first operated in the state  
 613 and by July 1 of each year thereafter. The annual fee for each  
 614 certificate shall be based on the number of machines identified  
 615 on the application times \$30 and is due and payable upon  
 616 application for the identifying device. The application shall  
 617 contain the operator's name, sales tax number, business address  
 618 where the machines are being operated, and the number of  
 619 machines in operation at that place of business by the operator.  
 620 No operator may operate more machines than are listed on the  
 621 certificate. A new certificate is required if more machines are  
 622 being operated at that location than are listed on the  
 623 certificate. The fee for the new certificate shall be based on  
 624 the number of additional machines identified on the application  
 625 form times \$30.

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CODING: Words ~~stricken~~ are deletions; words underlined are additions.

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626 c. A penalty of \$250 per machine is imposed on the  
 627 operator for failing to properly obtain and display the required  
 628 identifying certificate. A penalty of \$250 is imposed on the  
 629 lessee of any machine placed in a place of business without a  
 630 proper current identifying certificate. Such penalties shall  
 631 apply in addition to all other applicable taxes, interest, and  
 632 penalties.

633 d. Operators of coin-operated amusement machines must  
 634 obtain a separate sales and use tax certificate of registration  
 635 for each county in which such machines are located. One sales  
 636 and use tax certificate of registration is sufficient for all of  
 637 the operator's machines within a single county.

638 4. The provisions of this paragraph do not apply to coin-  
 639 operated amusement machines owned and operated by churches or  
 640 synagogues.

641 5. In addition to any other penalties imposed by this  
 642 chapter, a person who knowingly and willfully violates any  
 643 provision of this paragraph commits a misdemeanor of the second  
 644 degree, punishable as provided in s. 775.082 or s. 775.083.

645 6. The department may adopt rules necessary to administer  
 646 the provisions of this paragraph.

647 (i)1. At the rate of 5.25 ~~6~~ percent on charges for all:

648 a. Detective, burglar protection, and other protection  
 649 services (NAICS National Numbers 561611, 561612, 561613, and  
 650 561621). Fingerprint services required under s. 790.06 or s.

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651 790.062 are not subject to the tax. Any law enforcement officer,  
 652 as defined in s. 943.10, who is performing approved duties as  
 653 determined by his or her local law enforcement agency in his or  
 654 her capacity as a law enforcement officer, and who is subject to  
 655 the direct and immediate command of his or her law enforcement  
 656 agency, and in the law enforcement officer's uniform as  
 657 authorized by his or her law enforcement agency, is performing  
 658 law enforcement and public safety services and is not performing  
 659 detective, burglar protection, or other protective services, if  
 660 the law enforcement officer is performing his or her approved  
 661 duties in a geographical area in which the law enforcement  
 662 officer has arrest jurisdiction. Such law enforcement and public  
 663 safety services are not subject to tax irrespective of whether  
 664 the duty is characterized as "extra duty," "off-duty," or  
 665 "secondary employment," and irrespective of whether the officer  
 666 is paid directly or through the officer's agency by an outside  
 667 source. The term "law enforcement officer" includes full-time or  
 668 part-time law enforcement officers, and any auxiliary law  
 669 enforcement officer, when such auxiliary law enforcement officer  
 670 is working under the direct supervision of a full-time or part-  
 671 time law enforcement officer.

672       b. Nonresidential cleaning, excluding cleaning of the  
 673 interiors of transportation equipment, and nonresidential  
 674 building pest control services (NAICS National Numbers 561710  
 675 and 561720).

676       2. As used in this paragraph, "NAICS" means those  
 677 classifications contained in the North American Industry  
 678 Classification System, as published in 2007 by the Office of  
 679 Management and Budget, Executive Office of the President.

680       3. Charges for detective, burglar protection, and other  
 681 protection security services performed in this state but used  
 682 outside this state are exempt from taxation. Charges for  
 683 detective, burglar protection, and other protection security  
 684 services performed outside this state and used in this state are  
 685 subject to tax.

686       4. If a transaction involves both the sale or use of a  
 687 service taxable under this paragraph and the sale or use of a  
 688 service or any other item not taxable under this chapter, the  
 689 consideration paid must be separately identified and stated with  
 690 respect to the taxable and exempt portions of the transaction or  
 691 the entire transaction shall be presumed taxable. The burden  
 692 shall be on the seller of the service or the purchaser of the  
 693 service, whichever applicable, to overcome this presumption by  
 694 providing documentary evidence as to which portion of the  
 695 transaction is exempt from tax. The department is authorized to  
 696 adjust the amount of consideration identified as the taxable and  
 697 exempt portions of the transaction; however, a determination  
 698 that the taxable and exempt portions are inaccurately stated and  
 699 that the adjustment is applicable must be supported by  
 700 substantial competent evidence.

701 5. Each seller of services subject to sales tax pursuant  
 702 to this paragraph shall maintain a monthly log showing each  
 703 transaction for which sales tax was not collected because the  
 704 services meet the requirements of subparagraph 3. for out-of-  
 705 state use. The log must identify the purchaser's name, location  
 706 and mailing address, and federal employer identification number,  
 707 if a business, or the social security number, if an individual,  
 708 the service sold, the price of the service, the date of sale,  
 709 the reason for the exemption, and the sales invoice number. The  
 710 monthly log shall be maintained pursuant to the same  
 711 requirements and subject to the same penalties imposed for the  
 712 keeping of similar records pursuant to this chapter.

713 (j)1. Notwithstanding any other provision of this chapter,  
 714 there is hereby levied a tax on the sale, use, consumption, or  
 715 storage for use in this state of any coin or currency, whether  
 716 in circulation or not, when such coin or currency:

717 a. Is not legal tender;

718 b. If legal tender, is sold, exchanged, or traded at a  
 719 rate in excess of its face value; or

720 c. Is sold, exchanged, or traded at a rate based on its  
 721 precious metal content.

722 2. Such tax shall be at a rate of 5.25 ~~6~~ percent of the  
 723 price at which the coin or currency is sold, exchanged, or  
 724 traded, except that, with respect to a coin or currency which is  
 725 legal tender of the United States and which is sold, exchanged,

726 or traded, such tax shall not be levied.

727 3. There are exempt from this tax exchanges of coins or  
 728 currency which are in general circulation in, and legal tender  
 729 of, one nation for coins or currency which are in general  
 730 circulation in, and legal tender of, another nation when  
 731 exchanged solely for use as legal tender and at an exchange rate  
 732 based on the relative value of each as a medium of exchange.

733 4. With respect to any transaction that involves the sale  
 734 of coins or currency taxable under this paragraph in which the  
 735 taxable amount represented by the sale of such coins or currency  
 736 exceeds \$500, the entire amount represented by the sale of such  
 737 coins or currency is exempt from the tax imposed under this  
 738 paragraph. The dealer must maintain proper documentation, as  
 739 prescribed by rule of the department, to identify that portion  
 740 of a transaction which involves the sale of coins or currency  
 741 and is exempt under this subparagraph.

742 (k) At the rate of 5.25 ~~6~~ percent of the sales price of  
 743 each gallon of diesel fuel not taxed under chapter 206 purchased  
 744 for use in a vessel, except dyed diesel fuel that is exempt  
 745 pursuant to s. 212.08(4)(a)4.

746 (n) At the rate of 2.25 ~~3~~ percent of the sales price on  
 747 the retail sale of a new mobile home. As used in this paragraph,  
 748 the term "new mobile home" has the same meaning as in s.  
 749 319.001.

750 **Section 6. Subsection (2) of section 212.0501, Florida**

751 **Statutes, is amended to read:**

752 212.0501 Tax on diesel fuel for business purposes;  
753 purchase, storage, and use.—

754 (2) Each person who purchases diesel fuel for consumption,  
755 use, or storage by a trade or business shall register as a  
756 dealer and remit a use tax, at the rate of 5.25 ~~6~~ percent, on  
757 the total cost price of diesel fuel consumed.

758 **Section 7. Section 212.05011, Florida Statutes, is amended**  
759 **to read:**

760 212.05011 Combined rate for tax collected pursuant to ss.  
761 203.01(1)(b)4. and 212.05(1)(e)1.c.—In complying with the  
762 amendments to ss. 203.01 and 212.05, relating to the additional  
763 tax on electrical power or energy, made by this act, a seller of  
764 electrical power or energy may collect a combined rate of 6.2  
765 ~~6.95~~ percent, which consists of the 3.6 ~~4.35~~ percent and 2.6  
766 percent required under ss. 212.05(1)(e)1.c. and 203.01(1)(b)4.,  
767 respectively, if the provider properly reflects the tax  
768 collected with respect to the two provisions as required in the  
769 return to the Department of Revenue.

770 **Section 8. Subsection (2) of section 212.0515, Florida**  
771 **Statutes, is amended to read:**

772 212.0515 Sales from vending machines; sales to vending  
773 machine operators; special provisions; registration; penalties.—

774 (2) Notwithstanding any other provision of law, the amount  
775 of the tax to be paid on food, beverages, or other items of

776 tangible personal property that are sold in vending machines  
777 shall be calculated by dividing the gross receipts from such  
778 sales for the applicable reporting period by a divisor,  
779 determined as provided in this subsection, to compute gross  
780 taxable sales, and then subtracting gross taxable sales from  
781 gross receipts to arrive at the amount of tax due. For counties  
782 that do not impose a discretionary sales surtax, the divisor is  
783 equal to the sum of 1.0570 ~~1.0645~~ for beverage and food items,  
784 or 1.0584 ~~1.0659~~ for other items of tangible personal property.  
785 For counties with a 0.5 percent sales surtax rate the divisor is  
786 equal to the sum of 1.0611 ~~1.0686~~ for beverage and food items or  
787 1.0632 ~~1.0707~~ for other items of tangible personal property; for  
788 counties with a 0.75 percent sales surtax rate the divisor is  
789 equal to the sum of 1.0631 ~~1.0706~~ for beverage and food items or  
790 1.0652 ~~1.0727~~ for other items of tangible personal property;  
791 for counties with a 1 percent sales surtax rate the divisor is  
792 equal to the sum of 1.0651 ~~1.0726~~ for beverage and food items or  
793 1.0674 ~~1.0749~~ for other items of tangible personal property; for  
794 counties with a 1.5 percent sales surtax rate the divisor is  
795 equal to the sum of 1.0692 ~~1.0767~~ for beverage and food items or  
796 1.0716 ~~1.0791~~ for other items of tangible personal property; and  
797 for counties with a 2 percent sales surtax rate the divisor is  
798 equal to the sum of 1.0733 ~~1.0808~~ for beverage and food items or  
799 1.0758 ~~1.0833~~ for other items of tangible personal property.  
800 When a county imposes a surtax rate that is not listed in this

801 subsection, the department shall make the applicable divisor  
 802 available in an electronic format or otherwise. Additional  
 803 divisors shall bear the same mathematical relationship to the  
 804 next higher and next lower divisors as the new surtax rate bears  
 805 to the next higher and next lower surtax rates for which  
 806 divisors have been established. If an operator cannot account  
 807 for each type of item sold through a vending machine, the  
 808 highest tax rate shall be used for all products sold through  
 809 that machine.

810 **Section 9. Subsection (2) of section 212.0506, Florida**  
 811 **Statutes, is amended to read:**

812 212.0506 Taxation of service warranties.—  
 813 (2) For exercising such privilege, a tax is levied on each  
 814 taxable transaction or incident, which tax is due and payable at  
 815 the rate of 5.25 ~~6~~ percent on the total consideration received  
 816 or to be received by any person for issuing and delivering any  
 817 service warranty.

818 **Section 10. Paragraph (a) of subsection (1) of section**  
 819 **212.06, Florida Statutes, is amended to read:**

820 212.06 Sales, storage, use tax; collectible from dealers;  
 821 "dealer" defined; dealers to collect from purchasers;  
 822 legislative intent as to scope of tax.—

823 (1) (a) The aforesaid tax at the rate of 5.25 ~~6~~ percent of  
 824 the retail sales price as of the moment of sale, 5.25 ~~6~~ percent  
 825 of the cost price as of the moment of purchase, or 5.25 ~~6~~

826 percent of the cost price as of the moment of commingling with  
 827 the general mass of property in this state, as the case may be,  
 828 shall be collectible from all dealers as herein defined on the  
 829 sale at retail, the use, the consumption, the distribution, and  
 830 the storage for use or consumption in this state of tangible  
 831 personal property or services taxable under this chapter. The  
 832 full amount of the tax on a credit sale, installment sale, or  
 833 sale made on any kind of deferred payment plan shall be due at  
 834 the moment of the transaction in the same manner as on a cash  
 835 sale.

836 **Section 11. Paragraph (c) of subsection (11) of section**  
 837 **212.08, Florida Statutes, is amended to read:**

838 212.08 Sales, rental, use, consumption, distribution, and  
 839 storage tax; specified exemptions.—The sale at retail, the  
 840 rental, the use, the consumption, the distribution, and the  
 841 storage to be used or consumed in this state of the following  
 842 are hereby specifically exempt from the tax imposed by this  
 843 chapter.

844 (11) PARTIAL EXEMPTION; FLYABLE AIRCRAFT.—

845 (c) The maximum tax collectible under this subsection may  
 846 not exceed 5.25 ~~6~~ percent of the sales price of such aircraft.  
 847 No Florida tax may be imposed on the sale of such aircraft if  
 848 the state in which the aircraft will be domiciled does not allow  
 849 Florida sales or use tax to be credited against its sales or use  
 850 tax. Furthermore, no tax may be imposed on the sale of such

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851 aircraft if the state in which the aircraft will be domiciled  
 852 has enacted a sales and use tax exemption for flyable aircraft  
 853 or if the aircraft will be domiciled outside the United States.

854 **Section 12.** (1) The Department of Revenue may, and all  
 855 conditions are deemed met to, adopt emergency rules pursuant to  
 856 s. 120.54(4), Florida Statutes, to administer this act.  
 857 Notwithstanding any other law, emergency rules adopted pursuant  
 858 to this section are effective for 6 months after adoption and  
 859 may be renewed during the pendency of procedures to adopt  
 860 permanent rules addressing the subject of the emergency rules.

861 (2) This section shall take effect upon becoming a law and  
 862 expire July 1, 2027.

863 **Section 13.** Except as otherwise provided in this act and  
 864 except for this section, which shall take effect upon becoming a  
 865 law, this act shall take effect July 1, 2025.



535388

LEGISLATIVE ACTION

Senate	.	House
Comm: FAV	.	
06/05/2025	.	
Floor: 1/AD/2R	.	
06/05/2025 04:16 PM	.	
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The Committee on Appropriations (Hooper) recommended the following:

**Senate Amendment (with title amendment)**

Delete everything after the enacting clause.

===== 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 taxation; providing an effective



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11

date.

# CourtSmart Tag Report

Room: KB 412

Case No.:

Type:

Caption: Senate Appropriations Committee

Judge:

Started: 6/5/2025 2:33:58 PM

Ends: 6/5/2025 3:23:00 PM Length: 00:49:03

2:34:13 PM	S 1906
2:34:18 PM	Sen. Brodeur
2:34:59 PM	Sen. Polsky
2:35:18 PM	Sen. Brodeur
2:36:28 PM	Sen. Polsky
2:36:45 PM	Sen. Brodeur
2:37:54 PM	Sen. Polsky
2:38:28 PM	Sen. Brodeur
2:39:02 PM	Sen. Berman
2:39:28 PM	Sen. Brodeur
2:39:58 PM	Sen Berman
2:40:03 PM	Sen. Brodeur
2:40:14 PM	Sen. Berman
2:40:38 PM	Sen. Brodeur
2:41:00 PM	Sen. Berman
2:41:08 PM	Sen. Brodeur
2:41:42 PM	Sen. Boyd
2:43:01 PM	S 1908
2:43:19 PM	Sen. Hooper
2:44:50 PM	Sen. Smith
2:45:28 PM	Sen. Hooper
2:46:56 PM	Sen. Smith
2:48:09 PM	Sen. Hooper
2:49:04 PM	Sen. Smith
2:49:49 PM	Sen. Hooper
2:51:24 PM	Sen. Smith
2:52:22 PM	Sen. Hooper
2:52:54 PM	Sen. Berman
2:53:12 PM	Sen. Hooper
2:53:34 PM	Sen. Berman
2:53:49 PM	Sen. Hooper
2:54:35 PM	Sen. Berman
2:55:03 PM	Sen. Hooper
2:55:18 PM	Sen. Berman
2:55:25 PM	Sen. Hooper
2:55:36 PM	Sen. Berman
2:56:17 PM	Sen. Hooper
2:56:30 PM	Sen. Berman
2:56:35 PM	Sen. Hooper
2:56:47 PM	Sen. Berman
2:57:04 PM	Sen. Hooper
2:58:06 PM	Sen. Polsky
2:58:21 PM	Sen. Hooper
2:58:28 PM	Sen. Polsky
2:58:30 PM	Sen. Hooper
2:58:49 PM	Sen. Polsky
2:59:13 PM	Sen. Hooper
2:59:56 PM	Karen Woodall, FL Center for Fiscal and Economic Policy
3:02:43 PM	Dr. Rich Templin, FL AFL-CIO
3:07:13 PM	Sen. Polsky
3:09:14 PM	Sen. Smith
3:13:18 PM	Sen. Berman

<b>3:15:10 PM</b>	Sen. Hooper
<b>3:19:24 PM</b>	H 7031
<b>3:19:30 PM</b>	Sen. Hooper
<b>3:19:52 PM</b>	Am. 535388
<b>3:19:55 PM</b>	Sen. Hooper
<b>3:20:49 PM</b>	H 7031 (cont.)
<b>3:21:04 PM</b>	Sen. Hooper