

**STORAGE NAME:** h0143a.nrep.doc  
**DATE:** February 23, 2001

**HOUSE OF REPRESENTATIVES  
COMMITTEE ON  
NATURAL RESOURCES AND ENVIRONMENTAL PROTECTION  
ANALYSIS**

**BILL #:** HB 143

**RELATING TO:** Sales Tax / Bottled Water

**SPONSOR(S):** Representative(s) Davis

**TIED BILL(S):**

**ORIGINATING COMMITTEE(S)/COUNCIL(S)/COMMITTEE(S) OF REFERENCE:**

- (1) NATURAL RESOURCES AND ENVIRONMENTAL PROTECTION YEAS 11 NAYS 0
  - (2) FISCAL POLICY & RESOURCES
  - (3) COUNCIL FOR READY INFRASTRUCTURE
  - (4)
  - (5)
- 

I. SUMMARY:

HB 143 amends s. 212.08(4)(a) to allow a sales tax exemption for bottled water products that did not contain minerals in their natural state or did not have minerals added at a water treatment facility regulated by the Department of Environmental Protection.

The Department of Revenue estimates that the bill would reduce sales tax revenues by \$750,000.

The bill would take effect on July 1, 2001.

On February 21, 2001, the Committee on Natural Resources and Environmental Protection adopted the bill and one amendment that is traveling. The amendment retains the original intent of the bill but clarified the language. It was a result of efforts between the bill sponsor and the Department's of Revenue and Environmental Protection.

II. SUBSTANTIVE ANALYSIS:

A. DOES THE BILL SUPPORT THE FOLLOWING PRINCIPLES:

- |                                   |                                         |                             |                                         |
|-----------------------------------|-----------------------------------------|-----------------------------|-----------------------------------------|
| 1. <u>Less Government</u>         | Yes <input type="checkbox"/>            | No <input type="checkbox"/> | N/A <input checked="" type="checkbox"/> |
| 2. <u>Lower Taxes</u>             | Yes <input checked="" type="checkbox"/> | No <input type="checkbox"/> | N/A <input type="checkbox"/>            |
| 3. <u>Individual Freedom</u>      | Yes <input type="checkbox"/>            | No <input type="checkbox"/> | N/A <input checked="" type="checkbox"/> |
| 4. <u>Personal Responsibility</u> | Yes <input type="checkbox"/>            | No <input type="checkbox"/> | N/A <input checked="" type="checkbox"/> |
| 5. <u>Family Empowerment</u>      | Yes <input type="checkbox"/>            | No <input type="checkbox"/> | N/A <input checked="" type="checkbox"/> |

For any principle that received a "no" above, please explain:

B. PRESENT SITUATION:

Section 212.08(4)(a)1., F.S., provides that the sale of drinking water in bottles, cans, or other containers, including water that contains minerals in its natural state or water to which minerals have been added at a water treatment facility regulated by the Department of Environmental Protection (DEP), is exempt from the sales tax. This exemption does not apply, however, to the sale of drinking water in bottles, cans, or other containers if minerals have been added at any place other than a water treatment facility regulated by the DEP.

C. EFFECT OF PROPOSED CHANGES:

The bill removes the requirement that minerals be added to drinking water at a water treatment facility regulated by the DEP in order to qualify for exemption from the sales tax.

D. SECTION-BY-SECTION ANALYSIS:

This section need be completed only in the discretion of the Committee.

III. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT:

A. FISCAL IMPACT ON STATE GOVERNMENT:

1. Revenues:

According to a 2000 Revenue Estimating Conference report this additional exemption would reduce sales tax revenues between \$700,000 and \$1.5 million. The actual reduction is dependent on sales level for these products.

2. Expenditures:

N/A

B. FISCAL IMPACT ON LOCAL GOVERNMENTS:

1. Revenues:

N/A

2. Expenditures:

N/A

C. DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR:

N/A

D. FISCAL COMMENTS:

N/A

IV. CONSEQUENCES OF ARTICLE VII, SECTION 18 OF THE FLORIDA CONSTITUTION:

A. APPLICABILITY OF THE MANDATES PROVISION:

The bill does not require counties or municipalities to expend funds, nor does it require counties or municipalities to take an action requiring the expenditure of funds.

B. REDUCTION OF REVENUE RAISING AUTHORITY:

The bill does not reduce the authority that municipalities or counties have to raise revenues in the aggregate.

C. REDUCTION OF STATE TAX SHARED WITH COUNTIES AND MUNICIPALITIES:

The bill does not reduce the percentage of a state tax shared with counties or municipalities.

V. COMMENTS:

A. CONSTITUTIONAL ISSUES:

N/A

B. RULE-MAKING AUTHORITY:

N/A

C. OTHER COMMENTS:

N/A

VI. AMENDMENTS OR COMMITTEE SUBSTITUTE CHANGES:

An amendment was adopted on February 21, 2001 by the Committee on Natural Resources and Environmental Protection. The amendment retains the original intent of the bill by simplifying the language contained in the bill. In addition, the Department of Health was added because their agency is also responsible for regulating certain water treatment facilities.

**STORAGE NAME:** h0143a.nrep.doc

**DATE:** February 23, 2001

**PAGE:** 4

VII. SIGNATURES:

COMMITTEE ON NATURAL RESOURCES AND ENVIRONMENTAL PROTECTION:

Prepared by:

Staff Director:

---

Wayne S. Kiger

---

Wayne S. Kiger