

SENATE STAFF ANALYSIS AND ECONOMIC IMPACT STATEMENT

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

BILL: SB 1564

SPONSOR: Senator Carlton

SUBJECT: Corporation Income Tax/Internal Revenue

DATE: March 19, 2001

REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Fournier	Johansen	FT	Favorable
2.	_____	_____	_____	_____
3.	_____	_____	_____	_____
4.	_____	_____	_____	_____
5.	_____	_____	_____	_____
6.	_____	_____	_____	_____

I. Summary:

Senate Bill 1564 updates references in Chapter 220, Florida Statutes, the Florida Income Tax Code, to reflect changes in the U.S. Internal Revenue Code for corporate income tax purposes.

This bill amends. 220.03, Florida Statutes:

II. Present Situation:

Florida's Corporate Income Tax Code follows the Federal Internal Revenue Code by using federal rules and starting with federal taxable income as the tax base for the Florida income tax. Section 220.03, Florida Statutes, defines specific terms as they apply to Florida's corporate income tax code. The term **Internal Revenue Code** is defined to mean those provisions of the United States Internal Revenue Code of 1986, as amended, in effect on January 1, 2000.

III. Effect of Proposed Changes:

This bill updates the Florida Income Tax Code to reflect the changes Congress has made to the U.S. Internal Revenue Code of 1986. The definition of **Internal Revenue Code** is updated to include those provisions of the 1986 Code, as amended, in effect on January 1, 2001. This definition provides for **piggybacking** each change made during 2000 in the U.S. Internal Revenue Code.

The bill shall take effect upon becoming a law and shall operate retroactively to January 1, 2001.

III. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

IV. Economic Impact and Fiscal Note:

A. Tax/Fee Issues:

This bill insures current administration of the corporate income tax.

B. Private Sector Impact:

This bill ensures that corporations which are subject to Florida corporate income tax can base their calculations on current IRS rules. Failure to pass this bill would mean these corporations would need to keep two sets of books, one for Florida and one for federal income tax purposes.

C. Government Sector Impact:

Since Florida's corporate income tax is based upon a taxpayer's income as calculated for federal tax purposes, Florida can rely upon the efforts of the IRS to ensure the accuracy of the starting point for determining tax liability. Passage of this bill is necessary to maintain this relationship, which significantly decreases the cost to Florida of enforcing its tax laws.

V. Technical Deficiencies:

None.

VI. Related Issues:

None.

VII. Amendments:

None.

This Senate staff analysis does not reflect the intent or official position of the bill's sponsor or the Florida Senate.
