## Florida Senate - 2006

By Senator Bullard

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39-441-06
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| 1  | A bill to be entitled  |
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| 2  | An act relating to the corporate income tax;                   |
| 3  | creating s. 220.192, F.S.; providing a credit                  |
| 4  | against the tax for donations of used                          |
| 5  | equipment, such as computers and computer                      |
| б  | parts, to educational institutions in this                     |
| 7  | state; providing for the carryover of tax                      |
| 8  | credits; providing application requirements;                   |
| 9  | providing for administration; amending s.                      |
| 10 | 220.02, F.S.; providing the order in which this                |
| 11 | credit may be taken; providing an effective                    |
| 12 | date.  |
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| 14 | Be It Enacted by the Legislature of the State of Florida:      |
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| 16 | Section 1. Section 220.192, Florida Statutes, is               |
| 17 | created to read:   |
| 18 | 220.192 Credits for donating used equipment to                 |
| 19 | educational institutions                                       |
| 20 | (1) AUTHORIZATION TO GRANT TAX CREDITS FOR DONATED             |
| 21 | EQUIPMENT  |
| 22 | (a) There shall be allowed a credit against the tax            |
| 23 | imposed by this chapter in the amount of 25 percent of the     |
| 24 | retail cost of used equipment that the corporation has donated |
| 25 | to, and that has been accepted by, a public school, college,   |
| 26 | or university in this state. Such equipment may include, but   |
| 27 | need not be limited to, desktop computers, laptop computers,   |
| 28 | and computer parts.  |
| 29 | (b) If the credit granted under this section is not            |
| 30 | fully used in any one year because of insufficient tax         |
| 31 | liability on the part of the corporation, the unused amount    |
|    | 1  |

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**CODING:** Words stricken are deletions; words <u>underlined</u> are additions.

1 may be carried forward for a period not to exceed 5 years. The 2 carryover credit may be used in a subsequent year when the tax imposed by this chapter for that year exceeds the credit for 3 which the corporation is eligible in that year under this 4 section after applying the other credits and unused carryovers 5 6 in the order provided by s. 220.02(8). 7 (2) APPLICATION REQUIREMENTS. -- To apply for a tax 8 credit under this section, a corporation must submit to the department an application form, a copy of the corporation's 9 10 receipt for the purchase of the equipment, and a letter from the donee institution which verifies the institution's 11 12 acceptance of the donation. 13 (3) ADMINISTRATION. -- The Department of Revenue may adopt rules for administering this section. 14 Section 2. Subsection (8) of section 220.02, Florida 15 Statutes, is amended to read: 16 17 220.02 Legislative intent.--(8) It is the intent of the Legislature that credits 18 against either the corporate income tax or the franchise tax 19 be applied in the following order: those enumerated in s. 2.0 21 631.828, those enumerated in s. 220.191, those enumerated in 22 s. 220.181, those enumerated in s. 220.183, those enumerated 23 in s. 220.182, those enumerated in s. 220.1895, those enumerated in s. 221.02, those enumerated in s. 220.184, those 2.4 enumerated in s. 220.186, those enumerated in s. 220.1845, 25 26 those enumerated in s. 220.19, those enumerated in s. 220.185, 27 and those enumerated in s. 220.187, and those enumerated in s. 2.8 220.192. 29 Section 3. This act shall take effect July 1, 2006. 30 31

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| 2  | SENATE SUMMARY   |
| 3  | Provides a credit against the corporate income tax for   |
| 4  | donations of used equipment, such as computers and computer parts, to educational institutions in this             |
| 5  | state. Provides for the carryover of tax credits for up<br>to 5 years. Provides application requirements. Requires |
| 6  | the Department of Revenue to adopt rules for administering the tax credits. Provides for the order in              |
| 7  | which this credit may be taken, relative to other credits against the corporate income tax.                        |
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SB 742

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