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LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
02/24/2012	.	
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The Committee on Budget Subcommittee on Finance and Tax  
(Margolis) recommended the following:

**Senate Amendment (with title amendment)**

Delete everything after the enacting clause  
and insert:

Section 1. (1) The Communications Services Tax Working  
Group is created and housed for administrative purposes within  
the Department of Revenue.

(2) The working group shall consist of 11 members as  
follows:

(a) The executive director of the Department of Revenue, or  
his or her designee, who shall serve as chairperson and as a  
nonvoting member and who shall appoint the remaining members.



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13           (b) Six members, including, but not limited to,  
14 representatives of dealers, retailers, video service providers,  
15 direct-to-home satellite service providers, local phone service  
16 providers, and wireless providers who provide prepaid services.

17           (c) Two representatives of counties.

18           (d) Two representatives of municipalities.

19           (3) Members of the working group are not entitled to  
20 receive reimbursement for per diem and travel expenses other  
21 than reimbursement provided by their respective group, office,  
22 or agency.

23           (4) The working group shall:

24           (a) Review national and state tax policies relating to the  
25 communications industry;

26           (b) Review the amount of tax revenue that has been  
27 generated by the communications services taxes imposed or  
28 administered pursuant to chapter 202, Florida Statutes, and that  
29 is expected to be generated in the future, and the extent to  
30 which this revenue has been relied on to secure bonded  
31 indebtedness;

32           (c) Review the state's ability to design tax laws that are  
33 efficient and fairly administered, including whether the  
34 applicability of the tax laws is reasonably clear to  
35 communications service providers, retailers, customers, local  
36 governments, and state administrators. This review shall take  
37 into consideration the diverse and evolutionary nature of  
38 communication technology and the resulting services,  
39 particularly as it applies to prepaid wireless services;

40           (d) Review the administrative burdens imposed on  
41 communications services providers, retailers, local governments,



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42 and the department under the current tax structure;

43 (e) Identify options for reducing the administrative  
44 burdens and for developing a unified tax or reducing the high  
45 degree of local communications services tax rate variability,  
46 including the feasibility of distributing revenues based on  
47 formulas; and

48 (f) Identify options that remove competitive advantages due  
49 to taxation for competing, functionally equivalent  
50 communications services.

51 (5) The working group shall prepare a report that addresses  
52 each issue specified in subsection (4). The group shall submit  
53 the report to the Governor, the President of the Senate, and the  
54 Speaker of the House of Representatives by February 1, 2013. The  
55 working group shall hold meetings as frequently as deemed  
56 necessary by the chair to produce the report.

57 Section 2. This act shall take effect upon becoming a law.

58  
59 ===== T I T L E A M E N D M E N T =====

60 And the title is amended as follows:

61 Delete everything before the enacting clause  
62 and insert:

63 A bill to be entitled  
64 An act relating to communications services tax;  
65 creating the Communications Services Tax Working  
66 Group; housing the working group in the Department of  
67 Revenue for administrative purposes; providing for  
68 membership; limiting the reimbursement of members for  
69 per diem and travel expenses; providing issues that  
70 the working group will study; requiring the working



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group to hold meetings; providing for a report to the  
Governor and Legislature by a certain date; providing  
an effective date.