

1 A bill to be entitled
 2 An act relating to tax exemption for feminine hygiene
 3 products; amending s. 212.08, F.S.; exempting from the
 4 sales and use tax the sale of feminine hygiene
 5 products; defining the term "feminine hygiene
 6 product"; providing an effective date.

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

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 10 Section 1. Paragraph (ooo) is added to subsection (7) of
 11 section 212.08, Florida Statutes, to read:

12 212.08 Sales, rental, use, consumption, distribution, and
 13 storage tax; specified exemptions.—The sale at retail, the
 14 rental, the use, the consumption, the distribution, and the
 15 storage to be used or consumed in this state of the following
 16 are hereby specifically exempt from the tax imposed by this
 17 chapter.

18 (7) MISCELLANEOUS EXEMPTIONS.—Exemptions provided to any
 19 entity by this chapter do not inure to any transaction that is
 20 otherwise taxable under this chapter when payment is made by a
 21 representative or employee of the entity by any means,
 22 including, but not limited to, cash, check, or credit card, even
 23 when that representative or employee is subsequently reimbursed
 24 by the entity. In addition, exemptions provided to any entity by
 25 this subsection do not inure to any transaction that is
 26 otherwise taxable under this chapter unless the entity has

HB 63

2017

27 | obtained a sales tax exemption certificate from the department
28 | or the entity obtains or provides other documentation as
29 | required by the department. Eligible purchases or leases made
30 | with such a certificate must be in strict compliance with this
31 | subsection and departmental rules, and any person who makes an
32 | exempt purchase with a certificate that is not in strict
33 | compliance with this subsection and the rules is liable for and
34 | shall pay the tax. The department may adopt rules to administer
35 | this subsection.

36 | ~~(ooo)~~ Feminine hygiene products.—The sale of a feminine
37 | hygiene product is exempt from the tax imposed by this chapter.
38 | As used in this paragraph, the term "feminine hygiene product"
39 | means a product used to absorb or contain menstrual flow,
40 | including, but not limited to, tampons, sanitary napkins,
41 | pantiliners, and menstrual cups.

42 | Section 2. This act shall take effect January 1, 2018.