



803062

LEGISLATIVE ACTION

Senate

.
. .
. .
. .
. .

House

The Committee on Finance and Tax (Burgess) recommended the following:

Senate Amendment (with title amendment)

Delete lines 97 - 124

and insert:

(ppp) Equipment purchased or leased in this state by a provider of communications services or a provider of Internet access services.-

1. The purchase or lease of qualifying equipment by a provider of communications services or Internet access services is exempt from the tax imposed by this chapter.



803062

11 2. The exemption provided by this paragraph does not apply
12 to the purchase or lease of any of the following:
13 a. Real property;
14 b. Improvements to real property;
15 c. Office furniture and fixtures;
16 d. General office equipment and machinery that is not used
17 to provide communications services or Internet access services;
18 e. Vehicles;
19 f. Customer premise equipment; or
20 g. Facilities used to distribute signals beyond the central
21 office, headend, or hub facilities, including fiber optic,
22 coaxial, or other transmission cables; amplifiers; taps; and
23 customer drops.
24 3. The exemption provided by this paragraph does not apply
25 to the tax levied by s. 212.031.
26 4. As used in this paragraph, the term:
27 a. "Central office" means the location where telephone
28 subscribers' lines are joined to switching equipment to connect
29 subscribers to each other, locally and long distance. Central
30 office equipment includes, but is not limited to, switches,
31 cable distribution frames, and batteries.
32 b. "Communications services" has the same meaning as in s.
33 202.11(1).
34 c. "Headend" means the primary location in a communications
35 provider's network which receives television programming signals
36 through satellite antennae or fiber optic cables for
37 distribution to the customer premises through a distribution
38 network. Headend equipment includes, but is not limited to,
39 computer-based electronic equipment that receives programming



803062

40 signals and uses prescribed processes to combine, amplify, and
41 convert the programming signals and transmit them through the
42 distribution network. The headend processes and combines signals
43 for distribution to hubs or directly to customer premises. In
44 most cases, the headend also serves as a distribution hub for
45 the fiber optic transfer nodes closest to the headend. The term
46 also includes a super headend, which processes all incoming
47 programming signals and transmits them to regional headends or
48 directly to hubs.

49 d. "Hub" means the secondary location in a communications
50 provider's network which is connected to the headend by a fiber
51 optic or other cable. A hub may contain electronic equipment
52 that processes, converts, and transmits signals through the
53 distribution network, and can serve a large number of business
54 and residential communities.

55 e. "Internet access service" has the same meaning as in s.
56 202.11(6) and only applies to services that provide access to
57 the Internet with a capacity for transmission at a consistent
58 speed of at least 25 megabits per second download and 3 megabits
59 per second upload.

60 f. "Provider of communications services or Internet access
61 services" includes a dealer as defined in s. 202.11(2), a
62 provider of Internet access service, and any member of an
63 affiliated group as defined in s. 202.37(1)(c)2.

64 g. "Qualifying equipment" means equipment, machinery,
65 software, or other infrastructure used to provide communications
66 services or Internet access services and located within a
67 central office, headend, or hub operated by a provider of
68 communications services or Internet access services.



803062

69
70
71
72
73
74
75
76
77
78

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

And the title is amended as follows:

Delete lines 4 - 7

and insert:

exempting the purchase or lease of certain equipment
by a provider of communications services or a provider
of Internet access services in this state from the
sales and use tax; providing exceptions; defining
terms;