

ENROLLED

HB 7061, Engrossed 1

2021 Legislature

1
2 An act relating to taxation; repealing s. 193.019,
3 F.S., relating to hospitals and community benefit
4 reporting; amending s. 193.155, F.S.; adding
5 exceptions to the definition of the term "change of
6 ownership" for purposes of a certain homestead
7 assessment limitation; providing that changes,
8 additions, or improvements, including ancillary
9 improvements, to homestead property damaged or
10 destroyed by misfortune or calamity must be assessed
11 upon substantial completion; specifying that the
12 assessed value of the replaced homestead property must
13 be calculated using the assessed value of the
14 homestead property on a certain date before the date
15 on which the damage or destruction was sustained;
16 providing that certain changes, additions, or
17 improvements must be reassessed at just value in
18 subsequent years; specifying that changes to elevate
19 certain homestead property do not increase the
20 assessed value of the property; requiring property
21 owners to provide certification for such property;
22 defining the terms "voluntary elevation" and
23 "voluntarily elevated"; prohibiting the inclusion of
24 certain areas in a square footage calculation;
25 providing an exception; providing applicability;

Page 1 of 107

CODING: Words ~~stricken~~ are deletions; words underlined are additions.

hb7061-02-er

ENROLLED

HB 7061, Engrossed 1

2021 Legislature

26 making clarifying changes; providing that changes
27 relating to elevated property are contingent upon
28 elector approval of an amendment to the State
29 Constitution; amending s. 193.1554, F.S.; providing
30 that changes, additions, or improvements, including
31 ancillary improvements, to nonhomestead residential
32 property damaged or destroyed by misfortune or
33 calamity must be assessed upon substantial completion;
34 specifying that the assessed value of the replaced
35 nonhomestead residential property must be calculated
36 using the assessed value of the nonhomestead
37 residential property on a certain date before the date
38 on which the damage or destruction was sustained;
39 providing that certain changes, additions, or
40 improvements must be reassessed at just value in
41 subsequent years; specifying that changes to elevate
42 certain nonhomestead residential property do not
43 increase the assessed value of the property; requiring
44 property owners to provide certification for such
45 property; defining the terms "voluntary elevation" and
46 "voluntarily elevated"; prohibiting the inclusion of
47 certain areas in a square footage calculation;
48 providing an exception; providing applicability;
49 making clarifying changes; providing that changes
50 relating to elevated property are contingent upon

ENROLLED

HB 7061, Engrossed 1

2021 Legislature

51 elector approval of an amendment to the State
52 Constitution; amending s. 193.1555, F.S.; providing
53 that changes, additions, or improvements, including
54 ancillary improvements, to certain nonresidential real
55 property damaged or destroyed by misfortune or
56 calamity must be assessed upon substantial completion;
57 specifying that the assessed value of the replaced
58 nonresidential real property shall be calculated using
59 the assessed value of the residential and
60 nonresidential real property on a certain date before
61 the date on which the damage or destruction was
62 sustained; providing that certain changes, additions,
63 or improvements must be reassessed at just value in
64 subsequent years; providing construction and
65 retroactive applicability; amending s. 196.196, F.S.;
66 specifying that portions of property not used for
67 certain purposes are not exempt from ad valorem
68 taxation; specifying that exemptions for certain
69 portions of property from ad valorem taxation are not
70 affected so long as such portions of property are used
71 for specified purposes; providing applicability and
72 construction; amending s. 196.1978, F.S.; exempting
73 certain multifamily projects from ad valorem taxation;
74 making technical changes; amending s. 196.198, F.S.;
75 providing that improvements to real property are

ENROLLED

HB 7061, Engrossed 1

2021 Legislature

76 | deemed owned by certain educational institutions for
77 | purposes of the educational exemption from ad valorem
78 | taxation if certain criteria are met; providing that
79 | such educational institutions shall receive the full
80 | benefit of the exemption; requiring the property owner
81 | to make certain disclosures to the educational
82 | institution; exempting certain property owned by a
83 | house of public worship from ad valorem taxation;
84 | providing construction; amending s. 197.222, F.S.;
85 | requiring, rather than authorizing, tax collectors to
86 | accept late payments of prepaid property taxes within
87 | a certain timeframe; deleting a late payment penalty;
88 | amending s. 201.08, F.S.; providing that modifications
89 | of certain original documents for certain purposes on
90 | which documentary stamp taxes were previously paid are
91 | not renewals and are not subject to the documentary
92 | stamp tax; amending s. 210.20, F.S.; increasing, at
93 | specified timeframes, the percentage of cigarette tax
94 | proceeds paid to the Board of Directors of the H. Lee
95 | Moffitt Cancer Center and Research Institute for
96 | certain purposes; creating s. 211.0253, F.S.;
97 | providing a credit against oil and gas production
98 | taxes under the Strong Families Tax Credit; amending
99 | s. 211.3106, F.S.; specifying the severance tax rate
100 | for a certain heavy mineral under certain

ENROLLED

HB 7061, Engrossed 1

2021 Legislature

101 | circumstances; amending s. 212.06, F.S.; revising the
 102 | definition of the term "dealer"; revising a condition
 103 | for a sales tax exception for tangible personal
 104 | property imported, produced, or manufactured in this
 105 | state for export; defining terms; specifying
 106 | application requirements and procedures for a
 107 | forwarding agent to apply for a Florida Certificate of
 108 | Forwarding Agent Address from the Department of
 109 | Revenue; requiring forwarding agents receiving such
 110 | certificate to register as dealers for purposes of the
 111 | sales and use tax; specifying requirements for sales
 112 | tax remittance and for recordkeeping; specifying the
 113 | timeframe for expiration of certificates and
 114 | procedures for renewal; requiring forwarding agents to
 115 | update information; requiring the department to verify
 116 | certain information; authorizing the department to
 117 | suspend or revoke certificates under certain
 118 | circumstances; requiring the department to provide a
 119 | list on its website of forwarding agents who have
 120 | received certificates; providing circumstances and
 121 | requirements for and construction related to dealers
 122 | accepting certificates or relying on the department's
 123 | website list in lieu of collecting certain taxes;
 124 | providing criminal penalties for certain violations;
 125 | authorizing the department to adopt rules; amending s.

ENROLLED

HB 7061, Engrossed 1

2021 Legislature

126 212.07, F.S.; authorizing dealers, subject to certain
 127 conditions, to advertise or hold out to the public
 128 that they will pay sales tax on behalf of the
 129 purchaser; amending s. 212.08, F.S.; extending the
 130 expiration date of the sales tax exemption for data
 131 center property; exempting specified items that assist
 132 in independent living from the sales tax; amending s.
 133 212.13, F.S.; revising recordkeeping requirements for
 134 dealers collecting the sales and use tax; amending s.
 135 212.15, F.S.; providing that stolen sales tax revenue
 136 may be aggregated for the purposes of determining the
 137 grade of certain criminal offenses; conforming a
 138 provision to changes made by the act; creating s.
 139 212.1834, F.S.; providing a credit against sales taxes
 140 payable by direct pay permitholders under the Strong
 141 Families Tax Credit; amending ss. 212.20 and 212.205,
 142 F.S.; conforming provisions to changes made by the
 143 act; amending s. 213.053, F.S.; authorizing the
 144 department to publish a list of forwarding agents who
 145 have received Florida Certificates of Forwarding Agent
 146 Address on its website; amending s. 218.64, F.S.;
 147 conforming provisions to changes made by the act;
 148 amending s. 220.02, F.S.; specifying the order in
 149 which corporate income tax credits under the Strong
 150 Families Tax Credit and the Florida Internship Tax

ENROLLED

HB 7061, Engrossed 1

2021 Legislature

151 Credit Program are applied; amending s. 220.13, F.S.;

152 requiring corporate income taxpayers to add back to

153 their taxable income claimed credit amounts under the

154 Strong Families Tax Credit and the Florida Internship

155 Tax Credit Program; providing an exception; amending

156 s. 220.1845, F.S.; increasing the contaminated site

157 rehabilitation corporate income tax credit for a

158 specified fiscal year; amending s. 220.186, F.S.;

159 providing that a corporate income tax credit claimed

160 under the Strong Families Tax Credit is not applied in

161 the calculation of the Florida alternative minimum tax

162 credit; creating s. 220.1877, F.S.; providing a credit

163 against the corporate income tax under the Strong

164 Families Tax Credit; specifying requirements and

165 procedures for the credit; creating s. 220.198, F.S.;

166 providing a short title; defining terms; providing a

167 corporate income tax credit for qualified businesses

168 employing student interns if certain criteria are met;

169 specifying the amount of the credit a qualified

170 business may claim per student intern; specifying a

171 limit on the credit claimed per taxable year;

172 specifying the combined total amount of tax credits

173 which may be granted per state fiscal year in

174 specified years; requiring that credits be allocated

175 on a prorated basis if total approved credits exceed

ENROLLED

HB 7061, Engrossed 1

2021 Legislature

176 | the limit; authorizing the department to adopt certain
 177 | rules; authorizing a qualified business to carry
 178 | forward unused credit for a certain time; amending s.
 179 | 288.0001, F.S.; conforming a provision to changes made
 180 | by the act; repealing s. 288.11625, F.S., relating to
 181 | sports development; amending s. 376.30781, F.S.;
 182 | conforming a provision to changes made by the act;
 183 | creating s. 402.62, F.S.; creating the Strong Families
 184 | Tax Credit; defining terms; specifying requirements
 185 | for the Department of Children and Families in
 186 | designating eligible charitable organizations;
 187 | specifying requirements for eligible charitable
 188 | organizations receiving contributions; specifying
 189 | duties of the Department of Children and Families;
 190 | specifying a limitation on, and application procedures
 191 | for, the tax credit; specifying requirements and
 192 | procedures for, and restrictions on, the carryforward,
 193 | conveyance, transfer, assignment, and rescindment of
 194 | credits; specifying requirements and procedures for
 195 | the department; providing construction; authorizing
 196 | the department, the Division of Alcoholic Beverages
 197 | and Tobacco of the Department of Business and
 198 | Professional Regulation, and the Department of
 199 | Children and Families to develop a cooperative
 200 | agreement and adopt rules; authorizing certain

ENROLLED

HB 7061, Engrossed 1

2021 Legislature

201 interagency information sharing; amending s. 443.191,
 202 F.S.; conforming a cross-reference; creating s.
 203 561.1213, F.S.; providing a credit against excise
 204 taxes on certain alcoholic beverages under the Strong
 205 Families Tax Credit; amending s. 624.509, F.S.;
 206 specifying the order in which the insurance premium
 207 tax credit under the Strong Families Tax Credit is
 208 applied; creating s. 624.51057, F.S.; providing a
 209 credit against the insurance premium tax under the
 210 Strong Families Tax Credit; providing sales tax
 211 exemptions for certain clothing, wallets, bags, school
 212 supplies, personal computers, and personal computer-
 213 related accessories during a certain timeframe;
 214 defining terms; specifying locations where the
 215 exemptions do not apply; authorizing certain dealers
 216 to opt out of participating in the exemptions, subject
 217 to certain conditions; authorizing the department to
 218 adopt emergency rules; providing sales tax exemptions
 219 for certain disaster preparedness supplies during a
 220 certain timeframe; specifying locations where the
 221 exemptions do not apply; authorizing the department to
 222 adopt emergency rules; providing sales tax exemptions
 223 for certain admissions to music events, sporting
 224 events, cultural events, specified performances,
 225 movies, museums, state parks, and fitness facilities,

ENROLLED

HB 7061, Engrossed 1

2021 Legislature

226 | and for certain boating and water activity, camping,
 227 | fishing, general outdoor supplies, and sports
 228 | equipment, during certain timeframes; defining terms;
 229 | specifying locations where the exemptions do not
 230 | apply; requiring purchasers to collect sales tax on
 231 | resold exempt admissions; authorizing the department
 232 | to adopt emergency rules; amending chapter 2021-2,
 233 | Laws of Florida; conforming a cross-reference;
 234 | revising certain taxes on rental or license fees;
 235 | reenacting s. 192.0105(3)(a), F.S., relating to
 236 | taxpayer rights, to incorporate the amendment made to
 237 | s. 197.222, F.S., in a reference thereto; reenacting
 238 | s. 193.1557, F.S., relating to assessment of property
 239 | damaged or destroyed by Hurricane Michael, to
 240 | incorporate the amendments made to ss. 193.155,
 241 | 193.1554, and 193.1555, F.S., in references thereto;
 242 | reenacting s. 210.205, F.S., relating to cigarette tax
 243 | distribution reporting, to incorporate the amendment
 244 | made to s. 210.20, F.S., in a reference thereto;
 245 | reenacting s. 212.08(18)(f), F.S., relating to the
 246 | sales, rental, use, consumption, distribution, and
 247 | storage tax, to incorporate the amendment made to s.
 248 | 212.13, F.S., in a reference thereto; authorizing the
 249 | department to adopt emergency rules to implement
 250 | certain provisions; providing for expiration of that

ENROLLED

HB 7061, Engrossed 1

2021 Legislature

251 authority; providing an appropriation; requiring the
 252 Florida Institute for Child Welfare to provide a
 253 certain report to the Governor and the Legislature by
 254 a specified date; providing effective dates.

255

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

257

258 Section 1. Effective upon this act becoming a law, section
 259 193.019, Florida Statutes, is repealed.

260 Section 2. Paragraph (a) of subsection (3) and paragraph
 261 (b) of subsection (4) of section 193.155, Florida Statutes, are
 262 amended to read:

263 193.155 Homestead assessments.—Homestead property shall be
 264 assessed at just value as of January 1, 1994. Property receiving
 265 the homestead exemption after January 1, 1994, shall be assessed
 266 at just value as of January 1 of the year in which the property
 267 receives the exemption unless the provisions of subsection (8)
 268 apply.

269 (3) (a) Except as provided in this subsection or subsection
 270 (8), property assessed under this section shall be assessed at
 271 just value as of January 1 of the year following a change of
 272 ownership. Thereafter, the annual changes in the assessed value
 273 of the property are subject to the limitations in subsections
 274 (1) and (2). For the purpose of this section, a change of
 275 ownership means any sale, foreclosure, or transfer of legal

ENROLLED

HB 7061, Engrossed 1

2021 Legislature

276 title or beneficial title in equity to any person, except if any
 277 of the following apply:

278 1. Subsequent to the change or transfer, the same person
 279 is entitled to the homestead exemption as was previously
 280 entitled and:

281 a. The transfer of title is to correct an error;

282 b. The transfer is between legal and equitable title or
 283 equitable and equitable title and no additional person applies
 284 for a homestead exemption on the property;

285 c. The change or transfer is by means of an instrument in
 286 which the owner is listed as both grantor and grantee of the
 287 real property and one or more other individuals are additionally
 288 named as grantee. However, if any individual who is additionally
 289 named as a grantee applies for a homestead exemption on the
 290 property, the application is considered a change of ownership;

291 ~~or~~

292 d. The change or transfer is by means of an instrument in
 293 which the owner entitled to the homestead exemption is listed as
 294 both grantor and grantee of the real property and one or more
 295 other individuals, all of whom held title as joint tenants with
 296 rights of survivorship with the owner, are named only as
 297 grantors and are removed from the title; or

298 e. The person is a lessee entitled to the homestead
 299 exemption under s. 196.041(1).

300 2. Legal or equitable title is changed or transferred

ENROLLED

HB 7061, Engrossed 1

2021 Legislature

301 between husband and wife, including a change or transfer to a
 302 surviving spouse or a transfer due to a dissolution of marriage;

303 3. The transfer occurs by operation of law to the
 304 surviving spouse or minor child or children under s. 732.401; ~~or~~

305 4. Upon the death of the owner, the transfer is between
 306 the owner and another who is a permanent resident and who is
 307 legally or naturally dependent upon the owner; or

308 5. The transfer occurs with respect to a property where
 309 all of the following apply:

310 a. Multiple owners hold title as joint tenants with rights
 311 of survivorship;

312 b. One or more owners were entitled to and received the
 313 homestead exemption on the property;

314 c. The death of one or more owners occurs; and

315 d. Subsequent to the transfer, the surviving owner or
 316 owners previously entitled to and receiving the homestead
 317 exemption continue to be entitled to and receive the homestead
 318 exemption.

319 (4)

320 (b)1. Changes, additions, or improvements that replace all
 321 or a portion of homestead property, including ancillary
 322 improvements, damaged or destroyed by misfortune or calamity
 323 shall be assessed upon substantial completion as provided in
 324 this paragraph. Such assessment must be calculated using ~~shall~~
 325 not increase the homestead property's assessed value as of the

ENROLLED

HB 7061, Engrossed 1

2021 Legislature

326 January 1 immediately before the date on which the damage or
 327 destruction was sustained, subject to the assessment limitations
 328 in subsections (1) and (2), when:

329 a. The square footage of the homestead property as changed
 330 or improved does not exceed 110 percent of the square footage of
 331 the homestead property before the damage or destruction; or-

332 b. ~~Additionally, the homestead property's assessed value~~
 333 ~~shall not increase if~~ The total square footage of the homestead
 334 property as changed or improved does not exceed 1,500 square
 335 feet. ~~Changes, additions, or improvements that do not cause the~~
 336 ~~total to exceed 110 percent of the total square footage of the~~
 337 ~~homestead property before the damage or destruction or that do~~
 338 ~~not cause the total to exceed 1,500 total square feet shall be~~
 339 ~~reassessed as provided under subsection (1).~~

340 2. The homestead property's assessed value must ~~shall~~ be
 341 increased by the just value of that portion of the changed or
 342 improved homestead property which is in excess of 110 percent of
 343 the square footage of the homestead property before the damage
 344 or destruction or of that portion exceeding 1,500 square feet.

345 3. Homestead property damaged or destroyed by misfortune
 346 or calamity which, after being changed or improved, has a square
 347 footage of less than 100 percent of the homestead property's
 348 total square footage before the damage or destruction shall be
 349 assessed pursuant to subsection (5).

350 4. Changes, additions, or improvements assessed pursuant

ENROLLED

HB 7061, Engrossed 1

2021 Legislature

351 to this paragraph must be reassessed pursuant to subsection (1)
 352 in subsequent years. This paragraph applies to changes,
 353 additions, or improvements commenced within 3 years after the
 354 January 1 following the damage or destruction of the homestead.

355 Section 3. Effective upon the effective date of the
 356 amendment to the State Constitution proposed by HJR 1377, 2021
 357 Regular Session, or a similar joint resolution having
 358 substantially the same specific intent and purpose, if such
 359 amendment to the State Constitution is approved at the general
 360 election held in November 2022 or at an earlier special election
 361 specifically authorized by law for that purpose, paragraph (b)
 362 of subsection (4) of section 193.155, Florida Statutes, as
 363 amended by this act, and paragraph (c) of that subsection are
 364 amended to read:

365 193.155 Homestead assessments.—Homestead property shall be
 366 assessed at just value as of January 1, 1994. Property receiving
 367 the homestead exemption after January 1, 1994, shall be assessed
 368 at just value as of January 1 of the year in which the property
 369 receives the exemption unless the provisions of subsection (8)
 370 apply.

371 (4)

372 (b)1. Changes, additions, or improvements that replace all
 373 or a portion of homestead property, including ancillary
 374 improvements, which was damaged or destroyed by misfortune or
 375 calamity or which was voluntarily elevated shall be assessed

ENROLLED

HB 7061, Engrossed 1

2021 Legislature

376 upon substantial completion as provided in this paragraph. Such
377 assessment must be calculated using the homestead property's
378 assessed value as of the January 1 immediately before the date
379 on which the damage or destruction was sustained or the property
380 was voluntarily elevated, subject to the assessment limitations
381 in subsections (1) and (2), when:

382 a. The square footage of the homestead property as
383 changed, ~~or~~ improved, or elevated does not exceed 110 percent of
384 the square footage of the homestead property before the damage,
385 ~~or~~ destruction, or elevation; or

386 b. The total square footage of the homestead property as
387 changed, ~~or~~ improved, or elevated does not exceed 1,500 square
388 feet.

389 2. The homestead property's assessed value must be
390 increased by the just value of that portion of the changed, ~~or~~
391 improved, or elevated homestead property which is in excess of
392 110 percent of the square footage of the homestead property
393 before the qualifying damage, ~~or~~ destruction, or voluntary
394 elevation or of that portion exceeding 1,500 square feet.

395 3. Homestead property damaged, ~~or~~ destroyed, or
396 voluntarily elevated ~~by misfortune or calamity~~ which, after
397 being changed or improved, has a square footage of less than 100
398 percent of the homestead property's total square footage before
399 the qualifying damage, ~~or~~ destruction, or voluntary elevation
400 shall be assessed pursuant to subsection (5).

ENROLLED

HB 7061, Engrossed 1

2021 Legislature

401 4.a. Voluntarily elevated property qualifies under this
 402 paragraph if, at the time the voluntary elevation commenced:
 403 (I) The homestead property was not deemed uninhabitable in
 404 part or in whole under state or local law;
 405 (II) All ad valorem taxes, special assessments, county or
 406 municipal utility charges, and other government-imposed liens
 407 against the homestead property had been paid; and
 408 (III) The homestead property did not comply with the
 409 Federal Emergency Management Agency's National Flood Insurance
 410 Program requirements and Florida Building Code elevation
 411 requirements and was elevated in compliance with such
 412 requirements. The property owner must provide elevation
 413 certificates for both the original and elevated homestead
 414 property. As used in this paragraph, the term "voluntary
 415 elevation" or "voluntarily elevated" means the elevation of an
 416 existing nonconforming homestead property or the removal and
 417 rebuilding of a nonconforming homestead property.
 418 b. Conforming areas below an elevated structure designated
 419 only for parking, storage, or access may not be included in the
 420 110 percent calculation unless the area exceeds 110 percent of
 421 the lowest level square footage before the voluntary elevation,
 422 in which case the area in excess of 110 percent of the lowest
 423 level square footage before the voluntary elevation shall be
 424 included in the 110 percent calculation.
 425 c. This paragraph does not apply to homestead property

ENROLLED

HB 7061, Engrossed 1

2021 Legislature

426 that was voluntarily elevated if, after completion of the
 427 elevation, there is a change in the classification of the
 428 property pursuant to s. 195.073(1).

429 5.4. Changes, additions, or improvements assessed pursuant
 430 to this paragraph must be reassessed pursuant to subsection (1)
 431 in subsequent years. For changes, additions, or improvement made
 432 to replace property that was damaged or destroyed by misfortune
 433 or calamity, this paragraph applies to the changes, additions,
 434 or improvements commenced within 3 years after the January 1
 435 following the qualifying damage or destruction of the homestead
 436 property.

437 (c) Changes, additions, or improvements that replace all
 438 or a portion of real property that was damaged, ~~or~~ destroyed, or
 439 voluntarily elevated ~~by misfortune or calamity~~ shall be assessed
 440 upon substantial completion as if such qualifying damage, ~~or~~
 441 destruction, or voluntary elevation had not occurred and in
 442 accordance with paragraph (b) if the owner of such property:

443 1. Was permanently residing on such property when the
 444 qualifying damage, ~~or~~ destruction, or voluntary elevation
 445 occurred;

446 2. Was not entitled to receive homestead exemption on such
 447 property as of January 1 of that year; and

448 3. Applies for and receives homestead exemption on such
 449 property the following year.

450 Section 4. Paragraph (b) of subsection (6) of section

ENROLLED

HB 7061, Engrossed 1

2021 Legislature

451 193.1554, Florida Statutes, is amended to read:
 452 193.1554 Assessment of nonhomestead residential property.—
 453 (6)
 454 (b)1. Changes, additions, or improvements that replace all
 455 or a portion of nonhomestead residential property, including
 456 ancillary improvements, damaged or destroyed by misfortune or
 457 calamity must be assessed upon substantial completion as
 458 provided in this paragraph. Such assessment must be calculated
 459 using ~~shall not increase~~ the nonhomestead property's assessed
 460 value as of the January 1 immediately before the date on which
 461 the damage or destruction was sustained, subject to the
 462 assessment limitations in subsections (3) and (4), when:
 463 a. The square footage of the property as changed or
 464 improved does not exceed 110 percent of the square footage of
 465 the property before the damage or destruction; or—
 466 b. ~~Additionally, the property's assessed value shall not~~
 467 ~~increase if~~ The total square footage of the property as changed
 468 or improved does not exceed 1,500 square feet. ~~Changes,~~
 469 ~~additions, or improvements that do not cause the total to exceed~~
 470 ~~110 percent of the total square footage of the property before~~
 471 ~~the damage or destruction or that do not cause the total to~~
 472 ~~exceed 1,500 total square feet shall be reassessed as provided~~
 473 ~~under subsection (3).~~
 474 2. The property's assessed value must ~~shall~~ be increased
 475 by the just value of that portion of the changed or improved

ENROLLED

HB 7061, Engrossed 1

2021 Legislature

476 | property which is in excess of 110 percent of the square footage
 477 | of the property before the damage or destruction or of that
 478 | portion exceeding 1,500 square feet.

479 | 3. Property damaged or destroyed by misfortune or calamity
 480 | which, after being changed or improved, has a square footage of
 481 | less than 100 percent of the property's total square footage
 482 | before the damage or destruction shall be assessed pursuant to
 483 | subsection (8).

484 | 4. Changes, additions, or improvements assessed pursuant
 485 | to this paragraph shall be reassessed pursuant to subsection (3)
 486 | in subsequent years. This paragraph applies to changes,
 487 | additions, or improvements commenced within 3 years after the
 488 | January 1 following the damage or destruction of the property.

489 | Section 5. Effective upon the effective date of the
 490 | amendment to the State Constitution proposed by HJR 1377, 2021
 491 | Regular Session, or a similar joint resolution having
 492 | substantially the same specific intent and purpose, if such
 493 | amendment to the State Constitution is approved at the general
 494 | election held in November 2022 or at an earlier special election
 495 | specifically authorized by law for that purpose, paragraph (b)
 496 | of subsection (6) of section 193.1554, Florida Statutes, as
 497 | amended by this act, is amended to read:

498 | 193.1554 Assessment of nonhomestead residential property.—

499 | (6)

500 | (b)1. Changes, additions, or improvements that replace all

ENROLLED

HB 7061, Engrossed 1

2021 Legislature

501 or a portion of nonhomestead residential property, including
 502 ancillary improvements, which was damaged or destroyed by
 503 misfortune or calamity or which was voluntarily elevated must be
 504 assessed upon substantial completion as provided in this
 505 paragraph. Such assessment must be calculated using the
 506 nonhomestead property's assessed value as of the January 1
 507 immediately before the date on which the damage or destruction
 508 was sustained or the property was voluntarily elevated, subject
 509 to the assessment limitations in subsections (3) and (4), when:

510 a. The square footage of the property as changed, ~~or~~
 511 improved, or elevated does not exceed 110 percent of the square
 512 footage of the property before the qualifying damage, ~~or~~
 513 destruction, or elevation; or

514 b. The total square footage of the property as changed, ~~or~~
 515 improved, or elevated does not exceed 1,500 square feet.

516 2. The property's assessed value must be increased by the
 517 just value of that portion of the changed, ~~or~~ improved, or
 518 elevated property which is in excess of 110 percent of the
 519 square footage of the property before the qualifying damage, ~~or~~
 520 destruction, or voluntary elevation or of that portion exceeding
 521 1,500 square feet.

522 3. Property damaged, ~~or~~ destroyed, or voluntarily elevated
 523 ~~by misfortune or calamity~~ which, after being changed or
 524 improved, has a square footage of less than 100 percent of the
 525 property's total square footage before the qualifying damage, ~~or~~

ENROLLED

HB 7061, Engrossed 1

2021 Legislature

526 | destruction, or voluntary elevation shall be assessed pursuant
 527 | to subsection (8).

528 | 4.a. Voluntarily elevated property qualifies under this
 529 | paragraph if, at the time the voluntary elevation commenced:

530 | (I) The property was not deemed uninhabitable in part or
 531 | in whole under state or local law;

532 | (II) All ad valorem taxes, special assessments, county or
 533 | municipal utility charges, and other government-imposed liens
 534 | against the property had been paid; and

535 | (III) The property did not comply with the Federal
 536 | Emergency Management Agency's National Flood Insurance Program
 537 | requirements and Florida Building Code elevation requirements
 538 | and was elevated in compliance with such requirements. The
 539 | property owner must provide elevation certificates for both the
 540 | original and elevated property. As used in this paragraph, the
 541 | term "voluntary elevation" or "voluntarily elevated" means the
 542 | elevation of an existing nonconforming nonhomestead residential
 543 | property or the removal and rebuilding of nonconforming
 544 | nonhomestead residential property.

545 | b. Conforming areas below an elevated structure designated
 546 | only for parking, storage, or access may not be included in the
 547 | 110 percent calculation unless the area exceeds 110 percent of
 548 | the lowest level square footage before the voluntary elevation,
 549 | in which case the area in excess of 110 percent of the lowest
 550 | level square footage before the voluntary elevation shall be

ENROLLED

HB 7061, Engrossed 1

2021 Legislature

551 included in the 110 percent calculation.

552 c. This paragraph does not apply to nonhomestead
 553 residential property that was voluntarily elevated if, after
 554 completion of the elevation, there is a change in the
 555 classification of the property pursuant to s. 195.073(1).

556 5.4. Changes, additions, or improvements assessed pursuant
 557 to this paragraph shall be reassessed pursuant to subsection (3)
 558 in subsequent years. For changes, additions, or improvements
 559 made to replace property that was damaged or destroyed by
 560 misfortune or calamity, this paragraph applies to the changes,
 561 additions, or improvements commenced within 3 years after the
 562 January 1 following the qualifying damage or destruction of the
 563 property.

564 Section 6. Paragraph (b) of subsection (6) of section
 565 193.1555, Florida Statutes, is amended to read:

566 193.1555 Assessment of certain residential and
 567 nonresidential real property.—

568 (6)

569 (b)1. Changes, additions, or improvements that replace all
 570 or a portion of nonresidential real property, including
 571 ancillary improvements, damaged or destroyed by misfortune or
 572 calamity must be assessed upon substantial completion as
 573 provided in this paragraph. Such assessment must be calculated
 574 using ~~shall not increase~~ the nonresidential real property's
 575 assessed value as of the January 1 immediately before the date

ENROLLED

HB 7061, Engrossed 1

2021 Legislature

576 on which the damage or destruction was sustained, subject to the
 577 assessment limitations in subsections (3) and (4), when:

578 a. The square footage of the property as changed or
 579 improved does not exceed 110 percent of the square footage of
 580 the property before the damage or destruction; and

581 b. The changes, additions, or improvements do not change
 582 the property's character or use. ~~Changes, additions, or~~
 583 ~~improvements that do not cause the total to exceed 110 percent~~
 584 ~~of the total square footage of the property before the damage or~~
 585 ~~destruction and do not change the property's character or use~~
 586 ~~shall be reassessed as provided under subsection (3).~~

587 2. The property's assessed value must ~~shall~~ be increased
 588 by the just value of that portion of the changed or improved
 589 property which is in excess of 110 percent of the square footage
 590 of the property before the damage or destruction.

591 3. Property damaged or destroyed by misfortune or calamity
 592 which, after being changed or improved, has a square footage of
 593 less than 100 percent of the property's total square footage
 594 before the damage or destruction shall be assessed pursuant to
 595 subsection (8).

596 4. Changes, additions, or improvements assessed pursuant
 597 to this paragraph must be reassessed pursuant to subsection (3)
 598 in subsequent years. This paragraph applies to changes,
 599 additions, or improvements commenced within 3 years after the
 600 January 1 following the damage or destruction of the property.

ENROLLED

HB 7061, Engrossed 1

2021 Legislature

601 Section 7. (1) The amendments made by this act to ss.
 602 193.155(4), 193.1554, and 193.1555, Florida Statutes, which are
 603 effective July 1, 2021, are remedial and clarifying in nature,
 604 but the amendments may not affect any assessment for tax rolls
 605 before 2021 unless the assessment is under review by a value
 606 adjustment board or a Florida court as of July 1, 2021. If
 607 changes, additions, or improvements that replaced all or a
 608 portion of property damaged or destroyed by misfortune or
 609 calamity were not assessed in accordance with this act as of the
 610 January 1 immediately after they were substantially completed,
 611 the property appraiser must determine the assessment for the
 612 year they were substantially completed and recalculate the just
 613 and assessed value for each subsequent year so that the 2021 tax
 614 roll and subsequent tax rolls will be corrected.

615 (2) The amendments made by this act to ss. 193.155(4),
 616 193.1554, and 193.1555, Florida Statutes, which are effective
 617 July 1, 2021, apply retroactively to assessments made on or
 618 after January 1, 2021.

619 Section 8. Subsection (2) of section 196.196, Florida
 620 Statutes, is amended to read:

621 196.196 Determining whether property is entitled to
 622 charitable, religious, scientific, or literary exemption.—

623 (2) Only those portions of property used predominantly for
 624 charitable, religious, scientific, or literary purposes are
 625 ~~shall be exempt.~~ The portions of property which are not

ENROLLED

HB 7061, Engrossed 1

2021 Legislature

626 predominantly used for charitable, religious, scientific, or
 627 literary purposes are not exempt. An exemption for the portions
 628 of property used for charitable, religious, scientific, or
 629 literary purposes is not affected so long as the predominant use
 630 of such property is for charitable, religious, scientific, or
 631 literary purposes. In no event shall an incidental use of
 632 property either qualify such property for an exemption or impair
 633 the exemption of an otherwise exempt property.

634 Section 9. The amendment made by this act to s. 196.196,
 635 Florida Statutes, first applies to the 2022 tax roll and does
 636 not provide a basis for an assessment of any tax not paid or
 637 create a right to a refund or credit of any tax paid before July
 638 1, 2021.

639 Section 10. Subsection (2) of section 196.1978, Florida
 640 Statutes, is amended to read:

641 196.1978 Affordable housing property exemption.—

642 (2)(a) Notwithstanding ss. 196.195 and 196.196, property
 643 in a multifamily project that meets the requirements of this
 644 paragraph is considered property used for a charitable purpose
 645 and is exempt ~~shall receive a 50 percent discount from the~~
 646 ~~amount of ad valorem tax otherwise owed~~ beginning with the
 647 January 1 assessment after the 15th completed year of the term
 648 of the recorded agreement on those portions of the affordable
 649 housing property that provide housing to natural persons or
 650 families meeting the extremely-low-income, very-low-income, or

ENROLLED

HB 7061, Engrossed 1

2021 Legislature

651 low-income limits specified in s. 420.0004. The multifamily
 652 project must:

653 1. Contain more than 70 units that are used to provide
 654 affordable housing to natural persons or families meeting the
 655 extremely-low-income, very-low-income, or low-income limits
 656 specified in s. 420.0004; and

657 2. Be subject to an agreement with the Florida Housing
 658 Finance Corporation recorded in the official records of the
 659 county in which the property is located to provide affordable
 660 housing to natural persons or families meeting the extremely-
 661 low-income, very-low-income, or low-income limits specified in
 662 s. 420.0004.

663
 664 This exemption ~~discount~~ terminates if the property no longer
 665 serves extremely-low-income, very-low-income, or low-income
 666 persons pursuant to the recorded agreement.

667 (b) To receive the exemption ~~discount~~ under paragraph (a),
 668 a qualified applicant must submit an application to the county
 669 property appraiser by March 1.

670 (c) The property appraiser shall apply the exemption to
 671 ~~discount by reducing the taxable value on~~ those portions of the
 672 affordable housing property that provide housing to natural
 673 persons or families meeting the extremely-low-income, very-low-
 674 income, or low-income limits specified in s. 420.0004 before
 675 certifying the tax roll to the tax collector.

ENROLLED

HB 7061, Engrossed 1

2021 Legislature

676 | ~~1. The property appraiser shall first ascertain all other~~
 677 | ~~applicable exemptions, including exemptions provided pursuant to~~
 678 | ~~local option, and deduct all other exemptions from the assessed~~
 679 | ~~value.~~

680 | ~~2. Fifty percent of the remaining value shall be~~
 681 | ~~subtracted to yield the discounted taxable value.~~

682 | ~~3. The resulting taxable value shall be included in the~~
 683 | ~~certification for use by taxing authorities in setting millage.~~

684 | ~~4. The property appraiser shall place the discounted~~
 685 | ~~amount on the tax roll when it is extended.~~

686 | Section 11. Section 196.198, Florida Statutes, is amended
 687 | to read:

688 | 196.198 Educational property exemption.—Educational
 689 | institutions within this state and their property used by them
 690 | or by any other exempt entity or educational institution
 691 | exclusively for educational purposes are exempt from taxation.
 692 | Sheltered workshops providing rehabilitation and retraining of
 693 | individuals who have disabilities and exempted by a certificate
 694 | under s. (d) of the federal Fair Labor Standards Act of 1938, as
 695 | amended, are declared wholly educational in purpose and are
 696 | exempt from certification, accreditation, and membership
 697 | requirements set forth in s. 196.012. Those portions of property
 698 | of college fraternities and sororities certified by the
 699 | president of the college or university to the appropriate
 700 | property appraiser as being essential to the educational process

ENROLLED

HB 7061, Engrossed 1

2021 Legislature

701 are exempt from ad valorem taxation. The use of property by
 702 public fairs and expositions chartered by chapter 616 is
 703 presumed to be an educational use of such property and is exempt
 704 from ad valorem taxation to the extent of such use. Property
 705 used exclusively for educational purposes shall be deemed owned
 706 by an educational institution if the entity owning 100 percent
 707 of the educational institution is owned by the identical persons
 708 who own the property, or if the entity owning 100 percent of the
 709 educational institution and the entity owning the property are
 710 owned by the identical natural persons. Land, buildings, and
 711 other improvements to real property used exclusively for
 712 educational purposes shall be deemed owned by an educational
 713 institution if the entity owning 100 percent of the land is a
 714 nonprofit entity and the land is used, under a ground lease or
 715 other contractual arrangement, by an educational institution
 716 that owns the buildings and other improvements to the real
 717 property, is a nonprofit entity under s. 501(c)(3) of the
 718 Internal Revenue Code, and provides education limited to
 719 students in prekindergarten through grade 8. Land, buildings,
 720 and other improvements to real property used exclusively for
 721 educational purposes are deemed owned by an educational
 722 institution if the educational institution that currently uses
 723 the land, buildings, and other improvements for educational
 724 purposes is an educational institution described in s. 212.0602,
 725 and, under a lease, the educational institution is responsible

ENROLLED

HB 7061, Engrossed 1

2021 Legislature

726 | for any taxes owed and for ongoing maintenance and operational
727 | expenses for the land, buildings, and other improvements. For
728 | such leasehold properties, the educational institution shall
729 | receive the full benefit of the exemption. The owner of the
730 | property shall disclose to the educational institution the full
731 | amount of the benefit derived from the exemption and the method
732 | for ensuring that the educational institution receives the
733 | benefit. Notwithstanding ss. 196.195 and 196.196, property owned
734 | by a house of public worship and used by an educational
735 | institution for educational purposes limited to students in
736 | preschool through grade 8 shall be exempt from ad valorem taxes.
737 | If legal title to property is held by a governmental agency that
738 | leases the property to a lessee, the property shall be deemed to
739 | be owned by the governmental agency and used exclusively for
740 | educational purposes if the governmental agency continues to use
741 | such property exclusively for educational purposes pursuant to a
742 | sublease or other contractual agreement with that lessee. If the
743 | title to land is held by the trustee of an irrevocable inter
744 | vivos trust and if the trust grantor owns 100 percent of the
745 | entity that owns an educational institution that is using the
746 | land exclusively for educational purposes, the land is deemed to
747 | be property owned by the educational institution for purposes of
748 | this exemption. Property owned by an educational institution
749 | shall be deemed to be used for an educational purpose if the
750 | institution has taken affirmative steps to prepare the property

ENROLLED

HB 7061, Engrossed 1

2021 Legislature

751 for educational use. The term "affirmative steps" means
752 environmental or land use permitting activities, creation of
753 architectural plans or schematic drawings, land clearing or site
754 preparation, construction or renovation activities, or other
755 similar activities that demonstrate commitment of the property
756 to an educational use.

757 Section 12. The amendment made by this act to s. 196.198,
758 Florida Statutes, relating to certain property owned by a house
759 of public worship, is remedial and clarifying in nature and
760 applies to actions pending as of July 1, 2021.

761 Section 13. Paragraph (a) of subsection (1) of section
762 197.222, Florida Statutes, is amended to read:

763 197.222 Prepayment of estimated tax by installment
764 method.—

765 (1) Taxes collected pursuant to this chapter may be
766 prepaid in installments as provided in this section. A taxpayer
767 may elect to prepay by installments for each tax notice for
768 taxes estimated to be more than \$100. A taxpayer who elects to
769 prepay shall make payments based upon an estimated tax equal to
770 the actual taxes levied upon the subject property in the prior
771 year. In order to prepay by installments, the taxpayer must
772 complete and file an application for each tax notice with the
773 tax collector on or before April 30 of the year in which the
774 taxpayer elects to prepay the taxes. After submission of an
775 initial application, a taxpayer is not required to submit

ENROLLED

HB 7061, Engrossed 1

2021 Legislature

776 additional annual applications as long as he or she continues to
 777 elect to prepay taxes in installments. However, if in any year
 778 the taxpayer does not so elect, reapplication is required for a
 779 subsequent election. Installment payments shall be made
 780 according to the following schedule:

781 (a) The first payment of one-quarter of the total amount
 782 of estimated taxes due must be made by June 30 of the year in
 783 which the taxes are assessed. A 6 percent discount applied
 784 against the amount of the installment shall be granted for such
 785 payment. The tax collector shall ~~may~~ accept a late payment of
 786 the first installment through July 31, ~~and the late payment must~~
 787 ~~be accompanied by a penalty of 5 percent of the amount of the~~
 788 ~~installment due.~~

789 Section 14. Subsection (5) of section 201.08, Florida
 790 Statutes, is amended to read:

791 201.08 Tax on promissory or nonnegotiable notes, written
 792 obligations to pay money, or assignments of wages or other
 793 compensation; exception.—

794 (5) For purposes of this section, a renewal shall only
 795 include modifications of an original document which change the
 796 terms of the indebtedness evidenced by the original document by
 797 adding one or more obligors, increasing the principal balance,
 798 or changing the interest rate, maturity date, or payment terms.
 799 Modifications to documents which do not modify the terms of the
 800 indebtedness evidenced such as those given or recorded to

ENROLLED

HB 7061, Engrossed 1

2021 Legislature

801 correct error; modify covenants, conditions, or terms unrelated
 802 to the debt; sever a lien into separate liens; provide for
 803 additional, substitute, or further security for the
 804 indebtedness; consolidate indebtedness or collateral; add,
 805 change, or delete guarantors; or which substitute a new
 806 mortgagee or payee are not renewals and are not subject to tax
 807 pursuant to this section. A modification of an original document
 808 which changes only the interest rate and is made as the result
 809 of the discontinuation of an index to which the original
 810 interest rate is referenced is not a renewal and is not subject
 811 to the tax pursuant to this section. If the taxable amount of a
 812 mortgage is limited by language contained in the mortgage or by
 813 the application of rules limiting the tax base when there is
 814 collateral in more than one state, then a modification which
 815 changes such limitation or tax base shall be taxable only to the
 816 extent of any increase in the limitation or tax base
 817 attributable to such modification. This subsection shall not be
 818 interpreted to exempt from taxation an original mortgage that
 819 would otherwise be subject to tax pursuant to paragraph (1)(b).

820 Section 15. Effective upon this act becoming a law,
 821 paragraph (b) of subsection (2) of section 210.20, Florida
 822 Statutes, is amended to read:

823 210.20 Employees and assistants; distribution of funds.—

824 (2) As collections are received by the division from such
 825 cigarette taxes, it shall pay the same into a trust fund in the

ENROLLED

HB 7061, Engrossed 1

2021 Legislature

826 State Treasury designated "Cigarette Tax Collection Trust Fund"
 827 which shall be paid and distributed as follows:
 828 (b) Beginning July 1, 2004, and continuing through June
 829 30, 2013, the division shall from month to month certify to the
 830 Chief Financial Officer the amount derived from the cigarette
 831 tax imposed by s. 210.02, less the service charges provided for
 832 in s. 215.20 and less 0.9 percent of the amount derived from the
 833 cigarette tax imposed by s. 210.02, which shall be deposited
 834 into the Alcoholic Beverage and Tobacco Trust Fund, specifying
 835 an amount equal to 1.47 percent of the net collections, and that
 836 amount shall be paid to the Board of Directors of the H. Lee
 837 Moffitt Cancer Center and Research Institute, established under
 838 s. 1004.43, by warrant drawn by the Chief Financial Officer.
 839 Beginning July 1, 2014, and continuing through June 30, 2021
 840 ~~2053~~, the division shall from month to month certify to the
 841 Chief Financial Officer the amount derived from the cigarette
 842 tax imposed by s. 210.02, less the service charges provided for
 843 in s. 215.20 and less 0.9 percent of the amount derived from the
 844 cigarette tax imposed by s. 210.02, which shall be deposited
 845 into the Alcoholic Beverage and Tobacco Trust Fund, specifying
 846 an amount equal to 4.04 percent of the net collections, and that
 847 amount shall be paid to the Board of Directors of the H. Lee
 848 Moffitt Cancer Center and Research Institute, established under
 849 s. 1004.43, by warrant drawn by the Chief Financial Officer.
 850 Beginning July 1, 2021, and continuing through June 30, 2024,

ENROLLED

HB 7061, Engrossed 1

2021 Legislature

851 the division shall from month to month certify to the Chief
 852 Financial Officer the amount derived from the cigarette tax
 853 imposed by s. 210.02, less the service charges provided for in
 854 s. 215.20 and less 0.9 percent of the amount derived from the
 855 cigarette tax imposed by s. 210.02, which shall be deposited
 856 into the Alcoholic Beverage and Tobacco Trust Fund, specifying
 857 an amount equal to 7 percent of the net collections, and that
 858 amount shall be paid to the Board of Directors of the H. Lee
 859 Moffitt Cancer Center and Research Institute, established under
 860 s. 1004.43, by warrant drawn by the Chief Financial Officer.
 861 Beginning July 1, 2024, and continuing through June 30, 2054,
 862 the division shall from month to month certify to the Chief
 863 Financial Officer the amount derived from the cigarette tax
 864 imposed by s. 210.02, less the service charges provided for in
 865 s. 215.20 and less 0.9 percent of the amount derived from the
 866 cigarette tax imposed by s. 210.02, which shall be deposited
 867 into the Alcoholic Beverage and Tobacco Trust Fund, specifying
 868 an amount equal to 10 percent of the net collections, and that
 869 amount shall be paid to the Board of Directors of the H. Lee
 870 Moffitt Cancer Center and Research Institute, established under
 871 s. 1004.43, by warrant drawn by the Chief Financial Officer.
 872 These funds are appropriated monthly out of the Cigarette Tax
 873 Collection Trust Fund, to be used for lawful purposes, including
 874 constructing, furnishing, equipping, financing, operating, and
 875 maintaining cancer research and clinical and related facilities;

ENROLLED

HB 7061, Engrossed 1

2021 Legislature

876 | furnishing, equipping, operating, and maintaining other
 877 | properties owned or leased by the H. Lee Moffitt Cancer Center
 878 | and Research Institute; and paying costs incurred in connection
 879 | with purchasing, financing, operating, and maintaining such
 880 | equipment, facilities, and properties. In fiscal years 2004-2005
 881 | and thereafter, the appropriation to the H. Lee Moffitt Cancer
 882 | Center and Research Institute authorized by this paragraph shall
 883 | not be less than the amount that would have been paid to the H.
 884 | Lee Moffitt Cancer Center and Research Institute in fiscal year
 885 | 2001-2002, had this paragraph been in effect.

886 | Section 16. Section 211.0253, Florida Statutes, is created
 887 | to read:

888 | 211.0253 Credit for contributions to eligible charitable
 889 | organizations.—Beginning January 1, 2022, there is allowed a
 890 | credit of 100 percent of an eligible contribution made to an
 891 | eligible charitable organization under s. 402.62 against any tax
 892 | due under s. 211.02 or s. 211.025. However, the combined credit
 893 | allowed under this section and s. 211.0251 may not exceed 50
 894 | percent of the tax due on the return on which the credit is
 895 | taken. If the combined credit allowed under this section and s.
 896 | 211.0251 exceeds 50 percent of the tax due on the return, the
 897 | credit must first be taken under s. 211.0251. Any remaining
 898 | liability must be taken under this section, but may not exceed
 899 | 50 percent of the tax due. For purposes of the distributions of
 900 | tax revenue under s. 211.06, the department shall disregard any

ENROLLED

HB 7061, Engrossed 1

2021 Legislature

901 tax credits allowed under this section to ensure that any
 902 reduction in tax revenue received which is attributable to the
 903 tax credits results only in a reduction in distributions to the
 904 General Revenue Fund. Section 402.62 applies to the credit
 905 authorized by this section.

906 Section 17. Effective upon this act becoming a law,
 907 paragraph (e) of subsection (3) of section 211.3106, Florida
 908 Statutes, is amended to read:

909 211.3106 Levy of tax on severance of heavy minerals; rate,
 910 basis, and distribution of tax.—

911 (3)

912 (e) If In the event the producer price index for titanium
 913 dioxide is discontinued or can no longer be calculated, ~~then~~ a
 914 comparable index must ~~shall~~ be selected by the department and
 915 adopted by rule. If there is no comparable index, the tax rate
 916 for the immediately preceding year must be used.

917 Section 18. Effective January 1, 2022, paragraph (m) is
 918 added to subsection (2) of section 212.06, Florida Statutes, and
 919 subsection (5) of that section, as amended by section 8 of
 920 chapter 2021-2, Laws of Florida, is amended, to read:

921 212.06 Sales, storage, use tax; collectible from dealers;
 922 "dealer" defined; dealers to collect from purchasers;
 923 legislative intent as to scope of tax.—

924 (2)

925 (m) The term "dealer" also means a forwarding agent as

ENROLLED

HB 7061, Engrossed 1

2021 Legislature

926 defined in subparagraph (5) (b)1. who has applied for and
 927 received a Florida Certificate of Forwarding Agent Address from
 928 the department.

929 (5) (a)1. Except as provided in subparagraph 2., it is not
 930 the intention of this chapter to levy a tax upon tangible
 931 personal property imported, produced, or manufactured in this
 932 state for export, provided that tangible personal property may
 933 not be considered as being imported, produced, or manufactured
 934 for export unless the importer, producer, or manufacturer
 935 delivers the same to a forwarding agent ~~licensed exporter~~ for
 936 exporting or to a common carrier for shipment outside this ~~the~~
 937 state or mails the same by United States mail to a destination
 938 outside this ~~the~~ state; or, in the case of aircraft being
 939 exported under their own power to a destination outside the
 940 continental limits of the United States, by submission to the
 941 department of a duly signed and validated United States customs
 942 declaration, showing the departure of the aircraft from the
 943 continental United States; and further with respect to aircraft,
 944 the canceled United States registry of said aircraft; or in the
 945 case of parts and equipment installed on aircraft of foreign
 946 registry, by submission to the department of documentation as ~~τ~~
 947 ~~the extent of which shall be provided by rule, showing the~~
 948 departure of the aircraft from the continental United States;
 949 nor is it the intention of this chapter to levy a tax on any
 950 sale that ~~which~~ the state is prohibited from taxing under the

ENROLLED

HB 7061, Engrossed 1

2021 Legislature

951 Constitution or laws of the United States. Every retail sale
 952 made to a person physically present at the time of sale is ~~shall~~
 953 ~~be~~ presumed to have been delivered in this state.

954 2.a. Notwithstanding subparagraph 1., a tax is levied on
 955 each sale of tangible personal property to be transported to a
 956 cooperating state as defined in sub-subparagraph c., at the rate
 957 specified in sub-subparagraph d. However, a Florida dealer is
 958 ~~will be~~ relieved from the requirements of collecting taxes
 959 pursuant to this subparagraph if the Florida dealer obtains from
 960 the purchaser an affidavit providing ~~setting forth~~ the
 961 purchaser's name, address, state taxpayer identification number,
 962 and a statement that the purchaser is aware of his or her
 963 state's use tax laws, is a registered dealer in Florida or
 964 another state, or is purchasing the tangible personal property
 965 for resale or is otherwise not required to pay the tax on the
 966 transaction. The department may, by rule, provide a form to be
 967 used for the purposes of this sub-subparagraph ~~set forth herein~~.

968 b. For purposes of this subparagraph, the term "a
 969 cooperating state" means a state ~~is one~~ determined by the
 970 executive director of the department to cooperate satisfactorily
 971 with this state in collecting taxes on remote sales. To be
 972 determined a cooperating state, a ~~No~~ state must meet ~~shall be so~~
 973 ~~determined unless it meets~~ all the following minimum
 974 requirements:

975 (I) It levies and collects taxes on remote sales of

ENROLLED

HB 7061, Engrossed 1

2021 Legislature

976 | property transported from that state to persons in this state,
 977 | as described in s. 212.0596, upon request of the department.

978 | (II) The tax so collected is ~~shall be~~ at the rate
 979 | specified in s. 212.05, not including any local option or
 980 | tourist or convention development taxes collected pursuant to s.
 981 | 125.0104 or this chapter.

982 | (III) Such state agrees to remit to the department all
 983 | taxes so collected no later than 30 days from the last day of
 984 | the calendar quarter following their collection.

985 | (IV) Such state authorizes the department to audit dealers
 986 | within its jurisdiction who make remote sales that are the
 987 | subject of s. 212.0596, or makes arrangements deemed adequate by
 988 | the department for auditing them with its own personnel.

989 | (V) Such state agrees to provide to the department records
 990 | obtained by it from retailers or dealers in such state showing
 991 | delivery of tangible personal property into this state upon
 992 | which no sales or use tax has been paid in a manner similar to
 993 | that provided in sub-subparagraph g.

994 | c. For purposes of this subparagraph, the term "sales of
 995 | tangible personal property to be transported to a cooperating
 996 | state" means remote sales to a person who is in the cooperating
 997 | state at the time the order is executed, from a dealer who
 998 | receives that order in this state.

999 | d. The tax levied by sub-subparagraph a. shall be at the
 1000 | rate at which such a sale would have been taxed pursuant to the

ENROLLED

HB 7061, Engrossed 1

2021 Legislature

1001 cooperating state's tax laws if consummated in the cooperating
 1002 state by a dealer and a purchaser, both of whom were physically
 1003 present in that state at the time of the sale.

1004 e. The tax levied by sub-subparagraph a., when collected,
 1005 shall be held in the State Treasury in trust for the benefit of
 1006 the cooperating state and shall be paid to it at a time agreed
 1007 upon between the department, acting for this state, and the
 1008 cooperating state or the department or agency designated by it
 1009 to act for it; however, such payment shall in no event be made
 1010 later than 30 days from the last day of the calendar quarter
 1011 after the tax was collected. Funds held in trust for the benefit
 1012 of a cooperating state are ~~shall~~ not be subject to the service
 1013 charges imposed by s. 215.20.

1014 f. The department is authorized to perform such acts and
 1015 to provide such cooperation to a cooperating state with
 1016 reference to the tax levied by sub-subparagraph a. as is
 1017 required of the cooperating state by sub-subparagraph b.

1018 g. In furtherance of this act, dealers selling tangible
 1019 personal property for delivery in another state shall make
 1020 available to the department, upon request of the department,
 1021 records of all tangible personal property so sold. Such records
 1022 must ~~shall~~ include a description of the property, the name and
 1023 address of the purchaser, the name and address of the person to
 1024 whom the property was sent, the purchase price of the property,
 1025 information regarding whether sales tax was paid in this state

ENROLLED

HB 7061, Engrossed 1

2021 Legislature

1026 | on the purchase price, and such other information as the
 1027 | department may by rule prescribe.

1028 | (b)1. As used in this subsection, the term:

1029 | a. "Certificate" means a Florida Certificate of Forwarding
 1030 | Agent Address.

1031 | b. "Facilitating" means preparation for or arranging for
 1032 | export.

1033 | c. "Forwarding agent" means a person or business whose
 1034 | principal business activity is facilitating for compensation the
 1035 | export of property owned by other persons.

1036 | d. "NAICS" means those classifications contained in the
 1037 | North American Industry Classification System as published in
 1038 | 2007 by the Office of Management and Budget, Executive Office of
 1039 | the President.

1040 | e. "Principal business activity" means the activity from
 1041 | which the person or business derives the highest percentage of
 1042 | its total receipts.

1043 | 2. A forwarding agent engaged in international export may
 1044 | apply to the department for a certificate.

1045 | 3. Each application must include:

1046 | a. The designation of an address for the forwarding agent.

1047 | b. A certification that:

1048 | (I) The tangible personal property delivered to the
 1049 | designated address for export originates with a United States
 1050 | vendor;

ENROLLED

HB 7061, Engrossed 1

2021 Legislature

1051 (II) The tangible personal property delivered to the
 1052 designated address for export is irrevocably committed to export
 1053 out of the United States through a continuous and unbroken
 1054 exportation process; and

1055 (III) The designated address is used exclusively by the
 1056 forwarding agent for such export.

1057 c. A copy of the forwarding agent's last filed federal
 1058 income tax return showing the entity's principal business
 1059 activity classified under NAICS code 488510, except as provided
 1060 under subparagraph 4. or subparagraph 5.

1061 d. A statement of the total revenues of the forwarding
 1062 agent.

1063 e. A statement of the amount of revenues associated with
 1064 international export of the forwarding agent.

1065 f. A description of all business activity that occurs at
 1066 the designated address.

1067 g. The name and contact information of a designated
 1068 contact person of the forwarding agent.

1069 h. The forwarding agent's website address.

1070 i. Any additional information the department requires by
 1071 rule to demonstrate eligibility for the certificate and a
 1072 signature attesting to the validity of the information provided.

1073 4. An applicant that has not filed a federal return for
 1074 the preceding tax year under NAICS code 488510 shall provide all
 1075 of the following:

ENROLLED

HB 7061, Engrossed 1

2021 Legislature

- 1076 a. A statement of estimated total revenues.
- 1077 b. A statement of estimated revenues associated with
- 1078 international export.
- 1079 c. The NAICS code under which the forwarding agent intends
- 1080 to file a federal return.
- 1081 5. If an applicant does not file a federal return
- 1082 identifying a NAICS code, the applicant shall provide
- 1083 documentation to support that its principal business activity is
- 1084 that of a forwarding agent and that the applicant is otherwise
- 1085 eligible for the certificate.
- 1086 6. A forwarding agent that applies for and receives a
- 1087 certificate shall register as a dealer with the department.
- 1088 7. A forwarding agent shall remit the tax imposed under
- 1089 this chapter on any tangible personal property shipped to the
- 1090 designated forwarding agent address if no tax was collected and
- 1091 the tangible personal property remained in this state or if
- 1092 delivery to the purchaser or purchaser's representative occurs
- 1093 in this state. This subparagraph does not prohibit the
- 1094 forwarding agent from collecting such tax from the consumer of
- 1095 the tangible personal property.
- 1096 8. A forwarding agent shall maintain the following
- 1097 records:
- 1098 a. Copies of sales invoices or receipts between the vendor
- 1099 and the consumer when provided by the vendor to the forwarding
- 1100 agent. If sales invoices or receipts are not provided to the

ENROLLED

HB 7061, Engrossed 1

2021 Legislature

1101 forwarding agent, the forwarding agent must maintain export
 1102 documentation evidencing the value of the purchase consistent
 1103 with the federal Export Administration Regulations, 15 C.F.R.
 1104 parts 730-774.

1105 b. Copies of federal returns evidencing the forwarding
 1106 agent's NAICS principal business activity code.

1107 c. Copies of invoices or other documentation evidencing
 1108 shipment to the forwarding agent.

1109 d. Invoices between the forwarding agent and the consumer
 1110 or other documentation evidencing the ship-to destination
 1111 outside the United States.

1112 e. Invoices for foreign postal or transportation services.

1113 f. Bills of lading.

1114 g. Any other export documentation.

1115

1116 Such records must be kept in an electronic format and made
 1117 available for the department's review pursuant to subparagraph
 1118 9. and ss. 212.13 and 213.35.

1119 9. Each certificate expires 5 years after the date of
 1120 issuance, except as specified in this subparagraph.

1121 a. At least 30 days before expiration, a new application
 1122 must be submitted to renew the certificate and the application
 1123 must contain the information required in subparagraph 3. Upon
 1124 application for renewal, the certificate is subject to the
 1125 review and reissuance procedures prescribed by this chapter and

ENROLLED

HB 7061, Engrossed 1

2021 Legislature

1126 department rule.

1127 b. Each forwarding agent shall update its application
1128 information annually or within 30 days after any material
1129 change.

1130 c. The department shall verify that the forwarding agent
1131 is actively engaged in facilitating the international export of
1132 tangible personal property.

1133 d. The department may suspend or revoke the certificate of
1134 any forwarding agent that fails to respond within 30 days to a
1135 written request for information regarding its business
1136 transactions.

1137 10. The department shall provide a list on the
1138 department's website of forwarding agents that have applied for
1139 and received a Florida Certificate of Forwarding Agent Address
1140 from the department. The list must include a forwarding agent's
1141 entity name, address, and expiration date as provided on the
1142 Florida Certificate of Forwarding Agent Address.

1143 11. A dealer may accept a copy of the forwarding agent's
1144 certificate or rely on the list of forwarding agents' names and
1145 addresses on the department's website in lieu of collecting the
1146 tax imposed under this chapter when the property is required by
1147 terms of the sale to be shipped to the designated address on the
1148 certificate. A dealer who accepts a valid copy of a certificate
1149 or relies on the list of forwarding agents' names and addresses
1150 on the department's website in good faith and ships purchased

ENROLLED

HB 7061, Engrossed 1

2021 Legislature

1151 tangible personal property to the address on the certificate is
 1152 not liable for any tax due on sales made during the effective
 1153 dates indicated on the certificate.

1154 12. The department may revoke a forwarding agent's
 1155 certificate for noncompliance with this paragraph. Any person
 1156 found to fraudulently use the address on the certificate for the
 1157 purpose of evading tax is subject to the penalties provided in
 1158 s. 212.085.

1159 13. The department may adopt rules to administer this
 1160 paragraph, including, but not limited to, rules relating to
 1161 procedures, application and eligibility requirements, and forms.

1162 (c)1. Notwithstanding ~~the provisions of~~ paragraph (a), it
 1163 is not the intention of this chapter to levy a tax on the sale
 1164 of tangible personal property to a nonresident dealer who does
 1165 not hold a Florida sales tax registration, provided such
 1166 nonresident dealer furnishes the seller a statement declaring
 1167 that the tangible personal property will be transported outside
 1168 this state by the nonresident dealer for resale and for no other
 1169 purpose. The statement must ~~shall~~ include, but not be limited
 1170 to, the nonresident dealer's name, address, applicable passport
 1171 or visa number, arrival-departure card number, and evidence of
 1172 authority to do business in the nonresident dealer's home state
 1173 or country, such as his or her business name and address,
 1174 occupational license number, if applicable, or any other
 1175 suitable requirement. The statement must ~~shall~~ be signed by the

ENROLLED

HB 7061, Engrossed 1

2021 Legislature

1176 nonresident dealer and must ~~shall~~ include the following
 1177 sentence: "Under penalties of perjury, I declare that I have
 1178 read the foregoing, and the facts alleged are true to the best
 1179 of my knowledge and belief."

1180 2. The burden of proof of subparagraph 1. rests with the
 1181 seller, who must retain the proper documentation to support the
 1182 exempt sale. The exempt transaction is subject to verification
 1183 by the department.

1184 (d) ~~(e)~~ Notwithstanding ~~the provisions of~~ paragraph (a), it
 1185 is not the intention of this chapter to levy a tax on the sale
 1186 by a printer to a nonresident print purchaser of material
 1187 printed by that printer for that nonresident print purchaser
 1188 when the print purchaser does not furnish the printer a resale
 1189 certificate containing a sales tax registration number but does
 1190 furnish to the printer a statement declaring that such material
 1191 will be resold by the nonresident print purchaser.

1192 Section 19. Subsections (4) and (8) of section 212.07,
 1193 Florida Statutes, are amended, and paragraph (c) of subsection
 1194 (1) and subsection (2) of that section are republished, to read:

1195 212.07 Sales, storage, use tax; tax added to purchase
 1196 price; ~~dealer not to absorb;~~ liability of purchasers who cannot
 1197 prove payment of the tax; penalties; general exemptions.—

1198 (1)

1199 (c) Unless the purchaser of tangible personal property
 1200 that is incorporated into tangible personal property

ENROLLED

HB 7061, Engrossed 1

2021 Legislature

1201 manufactured, produced, compounded, processed, or fabricated for
 1202 one's own use and subject to the tax imposed under s.
 1203 212.06(1)(b) or is purchased for export under s. 212.06(5)(a)1.
 1204 extends a certificate in compliance with the rules of the
 1205 department, the dealer shall himself or herself be liable for
 1206 and pay the tax.

1207 (2) A dealer shall, as far as practicable, add the amount
 1208 of the tax imposed under this chapter to the sale price, and the
 1209 amount of the tax shall be separately stated as Florida tax on
 1210 any charge ticket, sales slip, invoice, or other tangible
 1211 evidence of sale. Such tax shall constitute a part of such
 1212 price, charge, or proof of sale which shall be a debt from the
 1213 purchaser or consumer to the dealer, until paid, and shall be
 1214 recoverable at law in the same manner as other debts. Where it
 1215 is impracticable, due to the nature of the business practices
 1216 within an industry, to separately state Florida tax on any
 1217 charge ticket, sales slip, invoice, or other tangible evidence
 1218 of sale, the department may establish an effective tax rate for
 1219 such industry. The department may also amend this effective tax
 1220 rate as the industry's pricing or practices change. Except as
 1221 otherwise specifically provided, any dealer who neglects, fails,
 1222 or refuses to collect the tax herein provided upon any, every,
 1223 and all retail sales made by the dealer or the dealer's agents
 1224 or employees of tangible personal property or services which are
 1225 subject to the tax imposed by this chapter shall be liable for

ENROLLED

HB 7061, Engrossed 1

2021 Legislature

1226 and pay the tax himself or herself.

1227 (4) (a) Except as provided in paragraph (b), a dealer
 1228 engaged in any business taxable under this chapter may not
 1229 advertise or hold out to the public, in any manner, directly or
 1230 indirectly, that he or she will pay ~~absorb~~ all or any part of
 1231 the tax, or that he or she will relieve the purchaser of the
 1232 payment of all or any part of the tax, or that the tax will not
 1233 be added to the selling price of the property or services sold
 1234 or released or, when added, that it or any part thereof will be
 1235 refunded either directly or indirectly by any method whatsoever.

1236 (b) Notwithstanding any provision of this chapter to the
 1237 contrary, a dealer may advertise or hold out to the public that
 1238 he or she will pay all or any part of the tax on behalf of the
 1239 purchaser, subject to both of the following conditions:

1240 1. The dealer must expressly state on any charge ticket,
 1241 sales slip, invoice, or other tangible evidence of sale given to
 1242 the purchaser that the dealer will pay to the state the tax
 1243 imposed by this chapter. The dealer may not indicate or imply
 1244 that the transaction is exempt or excluded from the tax imposed
 1245 by this chapter.

1246 2. A charge ticket, sales slip, invoice, or other tangible
 1247 evidence of the sale given to the purchaser must separately
 1248 state the sale price and the amount of the tax in accordance
 1249 with subsection (2).

1250 (c) A person who violates this subsection commits

ENROLLED

HB 7061, Engrossed 1

2021 Legislature

1251 ~~provision with respect to advertising or refund is guilty of a~~
 1252 misdemeanor of the second degree, punishable as provided in s.
 1253 775.082 or s. 775.083. A second or subsequent offense
 1254 constitutes a misdemeanor of the first degree, punishable as
 1255 provided in s. 775.082 or s. 775.083.

1256 (8) Any person who has purchased at retail, used,
 1257 consumed, distributed, or stored for use or consumption in this
 1258 state tangible personal property, admissions, communication or
 1259 other services taxable under this chapter, or leased tangible
 1260 personal property, or who has leased, occupied, or used or was
 1261 entitled to use any real property, space or spaces in parking
 1262 lots or garages for motor vehicles, docking or storage space or
 1263 spaces for boats in boat docks or marinas, and cannot prove that
 1264 the tax levied by this chapter has been paid to his or her
 1265 vendor, lessor, or other person or was paid on behalf of the
 1266 purchaser by a dealer under subsection (4) is directly liable to
 1267 the state for any tax, interest, or penalty due on any such
 1268 taxable transactions.

1269 Section 20. Paragraph (s) of subsection (5) of section
 1270 212.08, Florida Statutes, is amended to read:

1271 212.08 Sales, rental, use, consumption, distribution, and
 1272 storage tax; specified exemptions.—The sale at retail, the
 1273 rental, the use, the consumption, the distribution, and the
 1274 storage to be used or consumed in this state of the following
 1275 are hereby specifically exempt from the tax imposed by this

ENROLLED

HB 7061, Engrossed 1

2021 Legislature

1276 | chapter.

1277 | (5) EXEMPTIONS; ACCOUNT OF USE.—

1278 | (s) *Data center property*.—

1279 | 1. As used in this paragraph, the term:

1280 | a. "Critical IT load" means that portion of electric power

1281 | capacity, expressed in terms of megawatts, which is reserved

1282 | solely for owners or tenants of a data center to operate their

1283 | computer server equipment. The term does not include any

1284 | ancillary load for cooling, lighting, common areas, or other

1285 | equipment.

1286 | b. "Cumulative capital investment" means the combined

1287 | total of all expenses incurred by the owners or tenants of a

1288 | data center after July 1, 2017, in connection with acquiring,

1289 | constructing, installing, equipping, or expanding the data

1290 | center. However, the term does not include any expenses incurred

1291 | in the acquisition of improved real property operating as a data

1292 | center at the time of acquisition or within 6 months before the

1293 | acquisition.

1294 | c. "Data center" means a facility that:

1295 | (I) Consists of one or more contiguous parcels in this

1296 | state, along with the buildings, substations and other

1297 | infrastructure, fixtures, and personal property located on the

1298 | parcels;

1299 | (II) Is used exclusively to house and operate equipment

1300 | that receives, stores, aggregates, manages, processes,

ENROLLED

HB 7061, Engrossed 1

2021 Legislature

1301 transforms, retrieves, researches, or transmits data; or that is
 1302 necessary for the proper operation of equipment that receives,
 1303 stores, aggregates, manages, processes, transforms, retrieves,
 1304 researches, or transmits data;

1305 (III) Has a critical IT load of 15 megawatts or higher,
 1306 and a critical IT load of 1 megawatt or higher dedicated to each
 1307 individual owner or tenant within the data center; and

1308 (IV) Is constructed on or after July 1, 2017.

1309 d. "Data center property" means property used exclusively
 1310 at a data center to construct, outfit, operate, support, power,
 1311 cool, dehumidify, secure, or protect a data center and any
 1312 contiguous dedicated substations. The term includes, but is not
 1313 limited to, construction materials, component parts, machinery,
 1314 equipment, computers, servers, installations, redundancies, and
 1315 operating or enabling software, including any replacements,
 1316 updates and new versions, and upgrades to or for such property,
 1317 regardless of whether the property is a fixture or is otherwise
 1318 affixed to or incorporated into real property. The term also
 1319 includes electricity used exclusively at a data center.

1320 2. Data center property is exempt from the tax imposed by
 1321 this chapter, except for the tax imposed by s. 212.031. To be
 1322 eligible for the exemption provided by this paragraph, the data
 1323 center's owners and tenants must make a cumulative capital
 1324 investment of \$150 million or more for the data center and the
 1325 data center must have a critical IT load of 15 megawatts or

ENROLLED

HB 7061, Engrossed 1

2021 Legislature

1326 higher and a critical IT load of 1 megawatt or higher dedicated
 1327 to each individual owner or tenant within the data center. Each
 1328 of these requirements must be satisfied no later than 5 years
 1329 after the commencement of construction of the data center.

1330 3.a. To receive the exemption provided by this paragraph,
 1331 the person seeking the exemption must apply to the department
 1332 for a temporary tax exemption certificate. The application must
 1333 state that a qualifying data center designation is being sought
 1334 and provide information that the requirements of subparagraph 2.
 1335 will be met. Upon a tentative determination by the department
 1336 that the data center will meet the requirements of subparagraph
 1337 2., the department must issue the certificate.

1338 b.(I) The certificateholder shall maintain all necessary
 1339 books and records to support the exemption provided by this
 1340 paragraph. Upon satisfaction of all requirements of subparagraph
 1341 2., the certificateholder must deliver the temporary tax
 1342 certificate to the department together with documentation
 1343 sufficient to show the satisfaction of the requirements. Such
 1344 documentation must include written declarations, pursuant to s.
 1345 92.525, from:

1346 (A) A professional engineer, licensed pursuant to chapter
 1347 471, certifying that the critical IT load requirement set forth
 1348 in subparagraph 2. has been satisfied at the data center; and

1349 (B) A Florida certified public accountant, as defined in
 1350 s. 473.302, certifying that the cumulative capital investment

ENROLLED

HB 7061, Engrossed 1

2021 Legislature

1351 requirement set forth in subparagraph 2. has been satisfied for
 1352 the data center.

1353
 1354 The professional engineer and the Florida certified public
 1355 accountant may not be professionally related with the data
 1356 center's owners, tenants, or contractors, except that they may
 1357 be retained by a data center owner to certify that the
 1358 requirements of subparagraph 2. have been met.

1359 (II) If the department determines that the subparagraph 2.
 1360 requirements have been satisfied, the department must issue a
 1361 permanent tax exemption certificate.

1362 (III) Notwithstanding s. 212.084(4), the permanent tax
 1363 exemption certificate remains valid and effective for as long as
 1364 the data center described in the exemption application continues
 1365 to operate as a data center as defined in subparagraph 1., with
 1366 review by the department every 5 years to ensure compliance. As
 1367 part of the review, the certificateholder shall, within 3 months
 1368 before the end of any 5-year period, submit a written
 1369 declaration, pursuant to s. 92.525, certifying that the critical
 1370 IT load of 15 megawatts or higher and the critical IT load of 1
 1371 megawatt or higher dedicated to each individual owner or tenant
 1372 within the data center required by subparagraph 2. continues to
 1373 be met. All owners, tenants, contractors, and others purchasing
 1374 exempt data center property shall maintain all necessary books
 1375 and records to support the exemption as to those purchases.

ENROLLED

HB 7061, Engrossed 1

2021 Legislature

1376 (IV) Notwithstanding s. 213.053, the department may share
 1377 information concerning a temporary or permanent data center
 1378 exemption certificate among all owners, tenants, contractors,
 1379 and others purchasing exempt data center property pursuant to
 1380 such certificate.

1381 c. If, in an audit conducted by the department, it is
 1382 determined that the certificateholder or any owners, tenants,
 1383 contractors, or others purchasing, renting, or leasing data
 1384 center property do not meet the criteria of this paragraph, the
 1385 amount of taxes exempted at the time of purchase, rental, or
 1386 lease is immediately due and payable to the department from the
 1387 purchaser, renter, or lessee of those particular items, together
 1388 with the appropriate interest and penalty computed from the date
 1389 of purchase in the manner prescribed by this chapter.

1390 Notwithstanding s. 95.091(3)(a), any tax due as provided in this
 1391 sub-subparagraph may be assessed by the department within 6
 1392 years after the date the data center property was purchased.

1393 d. Purchasers, lessees, and renters of data center
 1394 property who qualify for the exemption provided by this
 1395 paragraph shall obtain from the data center a copy of the tax
 1396 exemption certificate issued pursuant to sub-subparagraph a. or
 1397 sub-subparagraph b. Before or at the time of purchase of the
 1398 item or items eligible for exemption, the purchaser, lessee, or
 1399 renter shall provide to the seller a copy of the tax exemption
 1400 certificate and a signed certificate of entitlement. Purchasers,

ENROLLED

HB 7061, Engrossed 1

2021 Legislature

1401 lessees, and renters with self-accrual authority shall maintain
 1402 all documentation necessary to prove the exempt status of
 1403 purchases.

1404 e. For any purchase, lease, or rental of property that is
 1405 exempt pursuant to this paragraph, the possession of a copy of a
 1406 tax exemption certificate issued pursuant to sub-subparagraph a.
 1407 or sub-subparagraph b. and a signed certificate of entitlement
 1408 relieves the seller of the responsibility of collecting the tax
 1409 on the sale, lease, or rental of such property, and the
 1410 department must look solely to the purchaser, renter, or lessee
 1411 for recovery of the tax if it determines that the purchase,
 1412 rental, or lease was not entitled to the exemption.

1413 4. After June 30, 2027 ~~2022~~, the department may not issue
 1414 a temporary tax exemption certificate pursuant to this
 1415 paragraph.

1416 Section 21. Effective January 1, 2022, paragraph (u) is
 1417 added to subsection (5) of section 212.08, Florida Statutes, to
 1418 read:

1419 212.08 Sales, rental, use, consumption, distribution, and
 1420 storage tax; specified exemptions.—The sale at retail, the
 1421 rental, the use, the consumption, the distribution, and the
 1422 storage to be used or consumed in this state of the following
 1423 are hereby specifically exempt from the tax imposed by this
 1424 chapter.

1425 (5) EXEMPTIONS; ACCOUNT OF USE.—

ENROLLED

HB 7061, Engrossed 1

2021 Legislature

1426 (u) Items that assist in independent living.—
 1427 1. The following items, when purchased for noncommercial
 1428 home or personal use, are exempt from the tax imposed by this
 1429 chapter:

1430 a. A bed transfer handle selling for \$60 or less.

1431 b. A bed rail selling for \$110 or less.

1432 c. A grab bar selling for \$100 or less.

1433 d. A shower seat selling for \$100 or less.

1434 2. This exemption does not apply to a purchase made by a
 1435 business, including, but not limited to, a medical institution
 1436 or an assisted living facility.

1437 Section 22. Subsection (2) of section 212.13, Florida
 1438 Statutes, is amended to read:

1439 212.13 Records required to be kept; power to inspect;
 1440 audit procedure.—

1441 (2) Each dealer, as defined in this chapter, shall secure,
 1442 maintain, and keep as long as required by s. 213.35 a complete
 1443 record of tangible personal property or services received, used,
 1444 sold at retail, distributed or stored, leased or rented by said
 1445 dealer, together with invoices, bills of lading, gross receipts
 1446 from such sales, and other pertinent records and papers as may
 1447 be required by the department for the reasonable administration
 1448 of this chapter. † All such records must be made available to the
 1449 department at reasonable times and places and by reasonable
 1450 means, including in an electronic format when so kept by the

ENROLLED

HB 7061, Engrossed 1

2021 Legislature

1451 ~~dealer which are located or maintained in this state shall be~~
 1452 ~~open for inspection by the department at all reasonable hours at~~
 1453 ~~such dealer's store, sales office, general office, warehouse, or~~
 1454 ~~place of business located in this state. Any dealer who~~
 1455 ~~maintains such books and records at a point outside this state~~
 1456 ~~must make such books and records available for inspection by the~~
 1457 ~~department where the general records are kept. Any dealer~~
 1458 ~~subject to the provisions of this chapter who violates this~~
 1459 ~~subsection commits these provisions is guilty of a misdemeanor~~
 1460 ~~of the first degree, punishable as provided in s. 775.082 or s.~~
 1461 ~~775.083. If, however, any subsequent offense involves~~
 1462 ~~intentional destruction of such records with an intent to evade~~
 1463 ~~payment of or deprive the state of any tax revenues, such~~
 1464 ~~subsequent offense is ~~shall be~~ a felony of the third degree,~~
 1465 ~~punishable as provided in s. 775.082 or s. 775.083.~~

1466 Section 23. Subsection (2) of section 212.15, Florida
 1467 Statutes, is amended to read:

1468 212.15 Taxes declared state funds; penalties for failure
 1469 to remit taxes; due and delinquent dates; judicial review.—

1470 (2) Any person who, with intent to unlawfully deprive or
 1471 defraud the state of its moneys or the use or benefit thereof,
 1472 fails to remit taxes collected or paid on behalf of a purchaser
 1473 under this chapter commits theft of state funds, punishable as
 1474 follows:

1475 (a) If the total amount of stolen revenue is less than

ENROLLED

HB 7061, Engrossed 1

2021 Legislature

1476 \$1,000, the offense is a misdemeanor of the second degree,
 1477 punishable as provided in s. 775.082 or s. 775.083. Upon a
 1478 second conviction, the offender commits a misdemeanor of the
 1479 first degree, punishable as provided in s. 775.082 or s.
 1480 775.083. Upon a third or subsequent conviction, the offender
 1481 commits a felony of the third degree, punishable as provided in
 1482 s. 775.082, s. 775.083, or s. 775.084.

1483 (b) If the total amount of stolen revenue is \$1,000 or
 1484 more, but less than \$20,000, the offense is a felony of the
 1485 third degree, punishable as provided in s. 775.082, s. 775.083,
 1486 or s. 775.084.

1487 (c) If the total amount of stolen revenue is \$20,000 or
 1488 more, but less than \$100,000, the offense is a felony of the
 1489 second degree, punishable as provided in s. 775.082, s. 775.083,
 1490 or s. 775.084.

1491 (d) If the total amount of stolen revenue is \$100,000 or
 1492 more, the offense is a felony of the first degree, punishable as
 1493 provided in s. 775.082, s. 775.083, or s. 775.084.

1494

1495 The amount of stolen revenue may be aggregated in determining
 1496 the grade of the offense.

1497 Section 24. Section 212.1834, Florida Statutes, is created
 1498 to read:

1499 212.1834 Credit for contributions to eligible charitable
 1500 organizations.—Beginning January 1, 2022, there is allowed a

ENROLLED

HB 7061, Engrossed 1

2021 Legislature

1501 credit of 100 percent of an eligible contribution made to an
 1502 eligible charitable organization under s. 402.62 against any tax
 1503 imposed by the state and due under this chapter from a direct
 1504 pay permitholder as a result of the direct pay permit held
 1505 pursuant to s. 212.183. For purposes of the dealer's credit
 1506 granted for keeping prescribed records, filing timely tax
 1507 returns, and properly accounting and remitting taxes under s.
 1508 212.12, the amount of tax due used to calculate the credit shall
 1509 include any eligible contribution made to an eligible charitable
 1510 organization from a direct pay permitholder. For purposes of the
 1511 distributions of tax revenue under s. 212.20, the department
 1512 shall disregard any tax credits allowed under this section to
 1513 ensure that any reduction in tax revenue received which is
 1514 attributable to the tax credits results only in a reduction in
 1515 distributions to the General Revenue Fund. Section 402.62
 1516 applies to the credit authorized by this section. A dealer who
 1517 claims a tax credit under this section must file his or her tax
 1518 returns and pay his or her taxes by electronic means under s.
 1519 213.755.

1520 Section 25. Paragraph (d) of subsection (6) of section
 1521 212.20, Florida Statutes, as amended by section 13 of chapter
 1522 2021-2, Laws of Florida, is amended to read:

1523 212.20 Funds collected, disposition; additional powers of
 1524 department; operational expense; refund of taxes adjudicated
 1525 unconstitutionally collected.—

ENROLLED

HB 7061, Engrossed 1

2021 Legislature

1526 (6) Distribution of all proceeds under this chapter and
 1527 ss. 202.18(1)(b) and (2)(b) and 203.01(1)(a)3. is as follows:

1528 (d) The proceeds of all other taxes and fees imposed
 1529 pursuant to this chapter or remitted pursuant to s. 202.18(1)(b)
 1530 and (2)(b) shall be distributed as follows:

1531 1. In any fiscal year, the greater of \$500 million, minus
 1532 an amount equal to 4.6 percent of the proceeds of the taxes
 1533 collected pursuant to chapter 201, or 5.2 percent of all other
 1534 taxes and fees imposed pursuant to this chapter or remitted
 1535 pursuant to s. 202.18(1)(b) and (2)(b) shall be deposited in
 1536 monthly installments into the General Revenue Fund.

1537 2. After the distribution under subparagraph 1., 8.9744
 1538 percent of the amount remitted by a sales tax dealer located
 1539 within a participating county pursuant to s. 218.61 shall be
 1540 transferred into the Local Government Half-cent Sales Tax
 1541 Clearing Trust Fund. Beginning July 1, 2003, the amount to be
 1542 transferred shall be reduced by 0.1 percent, and the department
 1543 shall distribute this amount to the Public Employees Relations
 1544 Commission Trust Fund less \$5,000 each month, which shall be
 1545 added to the amount calculated in subparagraph 3. and
 1546 distributed accordingly.

1547 3. After the distribution under subparagraphs 1. and 2.,
 1548 0.0966 percent shall be transferred to the Local Government
 1549 Half-cent Sales Tax Clearing Trust Fund and distributed pursuant
 1550 to s. 218.65.

ENROLLED

HB 7061, Engrossed 1

2021 Legislature

1551 4. After the distributions under subparagraphs 1., 2., and
 1552 3., 2.0810 percent of the available proceeds shall be
 1553 transferred monthly to the Revenue Sharing Trust Fund for
 1554 Counties pursuant to s. 218.215.

1555 5. After the distributions under subparagraphs 1., 2., and
 1556 3., 1.3653 percent of the available proceeds shall be
 1557 transferred monthly to the Revenue Sharing Trust Fund for
 1558 Municipalities pursuant to s. 218.215. If the total revenue to
 1559 be distributed pursuant to this subparagraph is at least as
 1560 great as the amount due from the Revenue Sharing Trust Fund for
 1561 Municipalities and the former Municipal Financial Assistance
 1562 Trust Fund in state fiscal year 1999-2000, no municipality shall
 1563 receive less than the amount due from the Revenue Sharing Trust
 1564 Fund for Municipalities and the former Municipal Financial
 1565 Assistance Trust Fund in state fiscal year 1999-2000. If the
 1566 total proceeds to be distributed are less than the amount
 1567 received in combination from the Revenue Sharing Trust Fund for
 1568 Municipalities and the former Municipal Financial Assistance
 1569 Trust Fund in state fiscal year 1999-2000, each municipality
 1570 shall receive an amount proportionate to the amount it was due
 1571 in state fiscal year 1999-2000.

1572 6. Of the remaining proceeds:

1573 a. In each fiscal year, the sum of \$29,915,500 shall be
 1574 divided into as many equal parts as there are counties in the
 1575 state, and one part shall be distributed to each county. The

ENROLLED

HB 7061, Engrossed 1

2021 Legislature

1576 distribution among the several counties must begin each fiscal
 1577 year on or before January 5th and continue monthly for a total
 1578 of 4 months. If a local or special law required that any moneys
 1579 accruing to a county in fiscal year 1999-2000 under the then-
 1580 existing provisions of s. 550.135 be paid directly to the
 1581 district school board, special district, or a municipal
 1582 government, such payment must continue until the local or
 1583 special law is amended or repealed. The state covenants with
 1584 holders of bonds or other instruments of indebtedness issued by
 1585 local governments, special districts, or district school boards
 1586 before July 1, 2000, that it is not the intent of this
 1587 subparagraph to adversely affect the rights of those holders or
 1588 relieve local governments, special districts, or district school
 1589 boards of the duty to meet their obligations as a result of
 1590 previous pledges or assignments or trusts entered into which
 1591 obligated funds received from the distribution to county
 1592 governments under then-existing s. 550.135. This distribution
 1593 specifically is in lieu of funds distributed under s. 550.135
 1594 before July 1, 2000.

1595 b. The department shall distribute \$166,667 monthly to
 1596 each applicant certified as a facility for a new or retained
 1597 professional sports franchise pursuant to s. 288.1162. Up to
 1598 \$41,667 shall be distributed monthly by the department to each
 1599 certified applicant as defined in s. 288.11621 for a facility
 1600 for a spring training franchise. However, not more than \$416,670

ENROLLED

HB 7061, Engrossed 1

2021 Legislature

1601 may be distributed monthly in the aggregate to all certified
 1602 applicants for facilities for spring training franchises.
 1603 Distributions begin 60 days after such certification and
 1604 continue for not more than 30 years, except as otherwise
 1605 provided in s. 288.11621. A certified applicant identified in
 1606 this sub-subparagraph may not receive more in distributions than
 1607 expended by the applicant for the public purposes provided in s.
 1608 288.1162(5) or s. 288.11621(3).

1609 c. Beginning 30 days after notice by the Department of
 1610 Economic Opportunity to the Department of Revenue that an
 1611 applicant has been certified as the professional golf hall of
 1612 fame pursuant to s. 288.1168 and is open to the public, \$166,667
 1613 shall be distributed monthly, for up to 300 months, to the
 1614 applicant.

1615 d. Beginning 30 days after notice by the Department of
 1616 Economic Opportunity to the Department of Revenue that the
 1617 applicant has been certified as the International Game Fish
 1618 Association World Center facility pursuant to s. 288.1169, and
 1619 the facility is open to the public, \$83,333 shall be distributed
 1620 monthly, for up to 168 months, to the applicant. This
 1621 distribution is subject to reduction pursuant to s. 288.1169.

1622 e. The department shall distribute up to \$83,333 monthly
 1623 to each certified applicant as defined in s. 288.11631 for a
 1624 facility used by a single spring training franchise, or up to
 1625 \$166,667 monthly to each certified applicant as defined in s.

ENROLLED

HB 7061, Engrossed 1

2021 Legislature

1626 288.11631 for a facility used by more than one spring training
 1627 franchise. Monthly distributions begin 60 days after such
 1628 certification or July 1, 2016, whichever is later, and continue
 1629 for not more than 20 years to each certified applicant as
 1630 defined in s. 288.11631 for a facility used by a single spring
 1631 training franchise or not more than 25 years to each certified
 1632 applicant as defined in s. 288.11631 for a facility used by more
 1633 than one spring training franchise. A certified applicant
 1634 identified in this sub-subparagraph may not receive more in
 1635 distributions than expended by the applicant for the public
 1636 purposes provided in s. 288.11631(3).

1637 ~~f. Beginning 45 days after notice by the Department of~~
 1638 ~~Economic Opportunity to the Department of Revenue that an~~
 1639 ~~applicant has been approved by the Legislature and certified by~~
 1640 ~~the Department of Economic Opportunity under s. 288.11625 or~~
 1641 ~~upon a date specified by the Department of Economic Opportunity~~
 1642 ~~as provided under s. 288.11625(6)(d), the department shall~~
 1643 ~~distribute each month an amount equal to one twelfth of the~~
 1644 ~~annual distribution amount certified by the Department of~~
 1645 ~~Economic Opportunity for the applicant. The department may not~~
 1646 ~~distribute more than \$13 million annually under this sub-~~
 1647 ~~subparagraph.~~

1648 ~~g.~~ The department shall distribute \$15,333 monthly to the
 1649 State Transportation Trust Fund.

1650 g.(I)h.(I) On or before July 25, 2021, August 25, 2021,

ENROLLED

HB 7061, Engrossed 1

2021 Legislature

1651 and September 25, 2021, the department shall distribute
 1652 \$324,533,334 in each of those months to the Unemployment
 1653 Compensation Trust Fund, less an adjustment for refunds issued
 1654 from the General Revenue Fund pursuant to s. 443.131(3)(e)3.
 1655 before making the distribution. The adjustments made by the
 1656 department to the total distributions shall be equal to the
 1657 total refunds made pursuant to s. 443.131(3)(e)3. If the amount
 1658 of refunds to be subtracted from any single distribution exceeds
 1659 the distribution, the department may not make that distribution
 1660 and must subtract the remaining balance from the next
 1661 distribution.

1662 (II) Beginning July 2022, and on or before the 25th day of
 1663 each month, the department shall distribute \$90 million monthly
 1664 to the Unemployment Compensation Trust Fund.

1665 (III) If the ending balance of the Unemployment
 1666 Compensation Trust Fund exceeds \$4,071,519,600 on the last day
 1667 of any month, as determined from United States Department of the
 1668 Treasury data, the Office of Economic and Demographic Research
 1669 shall certify to the department that the ending balance of the
 1670 trust fund exceeds such amount.

1671 (IV) This sub-subparagraph is repealed, and the department
 1672 shall end monthly distributions under sub-sub-subparagraph (II),
 1673 on the date the department receives certification under sub-sub-
 1674 subparagraph (III).

1675 7. All other proceeds must remain in the General Revenue

ENROLLED

HB 7061, Engrossed 1

2021 Legislature

1676 Fund.

1677 Section 26. Section 212.205, Florida Statutes, is amended
1678 to read:

1679 212.205 Sales tax distribution reporting.—By March 15 of
1680 each year, each person who received a distribution pursuant to
1681 s. 212.20(6)(d)6.b.-e. ~~s. 212.20(6)(d)6.b.-f.~~ in the preceding
1682 calendar year shall report to the Office of Economic and
1683 Demographic Research the following information:

1684 (1) An itemized accounting of all expenditures of the
1685 funds distributed in the preceding calendar year, including
1686 amounts spent on debt service.

1687 (2) A statement indicating what portion of the distributed
1688 funds have been pledged for debt service.

1689 (3) The original principal amount and current debt service
1690 schedule of any bonds or other borrowing for which the
1691 distributed funds have been pledged for debt service.

1692 Section 27. Effective January 1, 2022, subsection (5) of
1693 section 213.053, Florida Statutes, is amended to read:

1694 213.053 Confidentiality and information sharing.—

1695 (5) This section does not prevent the department from
1696 doing any of the following:

1697 (a) Publishing statistics so classified as to prevent the
1698 identification of particular accounts, reports, declarations, or
1699 returns; ~~or~~

1700 (b) Publishing a list of forwarding agents who have

ENROLLED

HB 7061, Engrossed 1

2021 Legislature

1701 received a Florida Certificate of Forwarding Agent Address. The
 1702 list must include each forwarding agent's entity name, address,
 1703 and certificate expiration date on the department's website
 1704 pursuant to s. 212.06(5) (b)10.; or

1705 (c) ~~(b)~~ Using telephones, e-mail, facsimile machines, or
 1706 other electronic means to do any of the following:

1707 1. Distribute information relating to changes in law, tax
 1708 rates, interest rates, or other information that is not specific
 1709 to a particular taxpayer;

1710 2. Remind taxpayers of due dates;

1711 3. Respond to a taxpayer to an electronic mail address
 1712 that does not support encryption if the use of that address is
 1713 authorized by the taxpayer; or

1714 4. Notify taxpayers to contact the department.

1715 Section 28. Subsection (2) and paragraph (c) of subsection
 1716 (3) of section 218.64, Florida Statutes, are amended to read:

1717 218.64 Local government half-cent sales tax; uses;
 1718 limitations.—

1719 (2) Municipalities shall expend their portions of the
 1720 local government half-cent sales tax only for municipality-wide
 1721 programs, ~~for reimbursing the state as required pursuant to s.~~
 1722 ~~288.11625,~~ or for municipality-wide property tax or municipal
 1723 utility tax relief. All utility tax rate reductions afforded by
 1724 participation in the local government half-cent sales tax shall
 1725 be applied uniformly across all types of taxed utility services.

ENROLLED

HB 7061, Engrossed 1

2021 Legislature

1726 (3) Subject to ordinances enacted by the majority of the
 1727 members of the county governing authority and by the majority of
 1728 the members of the governing authorities of municipalities
 1729 representing at least 50 percent of the municipal population of
 1730 such county, counties may use up to \$3 million annually of the
 1731 local government half-cent sales tax allocated to that county
 1732 for any of the following purposes:

1733 ~~(c) Reimbursing the state as required under s. 288.11625.~~

1734 Section 29. Subsection (8) of section 220.02, Florida
 1735 Statutes, is amended to read:

1736 220.02 Legislative intent.—

1737 (8) It is the intent of the Legislature that credits
 1738 against either the corporate income tax or the franchise tax be
 1739 applied in the following order: those enumerated in s. 631.828,
 1740 those enumerated in s. 220.191, those enumerated in s. 220.181,
 1741 those enumerated in s. 220.183, those enumerated in s. 220.182,
 1742 those enumerated in s. 220.1895, those enumerated in s. 220.195,
 1743 those enumerated in s. 220.184, those enumerated in s. 220.186,
 1744 those enumerated in s. 220.1845, those enumerated in s. 220.19,
 1745 those enumerated in s. 220.185, those enumerated in s. 220.1875,
 1746 those enumerated in s. 220.1877, those enumerated in s. 220.193,
 1747 those enumerated in s. 288.9916, those enumerated in s.
 1748 220.1899, those enumerated in s. 220.194, ~~and~~ those enumerated
 1749 in s. 220.196, and those enumerated in s. 220.198.

1750 Section 30. Paragraph (a) of subsection (1) of section

ENROLLED

HB 7061, Engrossed 1

2021 Legislature

1751 220.13, Florida Statutes, is amended to read:

1752 220.13 "Adjusted federal income" defined.—

1753 (1) The term "adjusted federal income" means an amount
 1754 equal to the taxpayer's taxable income as defined in subsection
 1755 (2), or such taxable income of more than one taxpayer as
 1756 provided in s. 220.131, for the taxable year, adjusted as
 1757 follows:

1758 (a) *Additions.*—There shall be added to such taxable
 1759 income:

1760 1.a. The amount of any tax upon or measured by income,
 1761 excluding taxes based on gross receipts or revenues, paid or
 1762 accrued as a liability to the District of Columbia or any state
 1763 of the United States which is deductible from gross income in
 1764 the computation of taxable income for the taxable year.

1765 b. Notwithstanding sub-subparagraph a., if a credit taken
 1766 under s. 220.1875 or s. 220.1877 is added to taxable income in a
 1767 previous taxable year under subparagraph 11. and is taken as a
 1768 deduction for federal tax purposes in the current taxable year,
 1769 the amount of the deduction allowed shall not be added to
 1770 taxable income in the current year. The exception in this sub-
 1771 subparagraph is intended to ensure that the credit under s.
 1772 220.1875 or s. 220.1877 is added in the applicable taxable year
 1773 and does not result in a duplicate addition in a subsequent
 1774 year.

1775 2. The amount of interest which is excluded from taxable

ENROLLED

HB 7061, Engrossed 1

2021 Legislature

1776 income under s. 103(a) of the Internal Revenue Code or any other
1777 federal law, less the associated expenses disallowed in the
1778 computation of taxable income under s. 265 of the Internal
1779 Revenue Code or any other law, excluding 60 percent of any
1780 amounts included in alternative minimum taxable income, as
1781 defined in s. 55(b)(2) of the Internal Revenue Code, if the
1782 taxpayer pays tax under s. 220.11(3).

1783 3. In the case of a regulated investment company or real
1784 estate investment trust, an amount equal to the excess of the
1785 net long-term capital gain for the taxable year over the amount
1786 of the capital gain dividends attributable to the taxable year.

1787 4. That portion of the wages or salaries paid or incurred
1788 for the taxable year which is equal to the amount of the credit
1789 allowable for the taxable year under s. 220.181. This
1790 subparagraph shall expire on the date specified in s. 290.016
1791 for the expiration of the Florida Enterprise Zone Act.

1792 5. That portion of the ad valorem school taxes paid or
1793 incurred for the taxable year which is equal to the amount of
1794 the credit allowable for the taxable year under s. 220.182. This
1795 subparagraph shall expire on the date specified in s. 290.016
1796 for the expiration of the Florida Enterprise Zone Act.

1797 6. The amount taken as a credit under s. 220.195 which is
1798 deductible from gross income in the computation of taxable
1799 income for the taxable year.

1800 7. That portion of assessments to fund a guaranty

ENROLLED

HB 7061, Engrossed 1

2021 Legislature

1801 association incurred for the taxable year which is equal to the
 1802 amount of the credit allowable for the taxable year.

1803 8. In the case of a nonprofit corporation which holds a
 1804 pari-mutuel permit and which is exempt from federal income tax
 1805 as a farmers' cooperative, an amount equal to the excess of the
 1806 gross income attributable to the pari-mutuel operations over the
 1807 attributable expenses for the taxable year.

1808 9. The amount taken as a credit for the taxable year under
 1809 s. 220.1895.

1810 10. Up to nine percent of the eligible basis of any
 1811 designated project which is equal to the credit allowable for
 1812 the taxable year under s. 220.185.

1813 11. The amount taken as a credit for the taxable year
 1814 under s. 220.1875 or s. 220.1877. The addition in this
 1815 subparagraph is intended to ensure that the same amount is not
 1816 allowed for the tax purposes of this state as both a deduction
 1817 from income and a credit against the tax. This addition is not
 1818 intended to result in adding the same expense back to income
 1819 more than once.

1820 12. The amount taken as a credit for the taxable year
 1821 under s. 220.193.

1822 13. Any portion of a qualified investment, as defined in
 1823 s. 288.9913, which is claimed as a deduction by the taxpayer and
 1824 taken as a credit against income tax pursuant to s. 288.9916.

1825 14. The costs to acquire a tax credit pursuant to s.

ENROLLED

HB 7061, Engrossed 1

2021 Legislature

1826 | 288.1254(5) that are deducted from or otherwise reduce federal
 1827 | taxable income for the taxable year.

1828 | 15. The amount taken as a credit for the taxable year
 1829 | pursuant to s. 220.194.

1830 | 16. The amount taken as a credit for the taxable year
 1831 | under s. 220.196. The addition in this subparagraph is intended
 1832 | to ensure that the same amount is not allowed for the tax
 1833 | purposes of this state as both a deduction from income and a
 1834 | credit against the tax. The addition is not intended to result
 1835 | in adding the same expense back to income more than once.

1836 | 17. The amount taken as a credit for the taxable year
 1837 | pursuant to s. 220.198.

1838 | Section 31. Paragraph (f) of subsection (2) of section
 1839 | 220.1845, Florida Statutes, is amended to read:

1840 | 220.1845 Contaminated site rehabilitation tax credit.—

1841 | (2) AUTHORIZATION FOR TAX CREDIT; LIMITATIONS.—

1842 | (f) The total amount of the tax credits which may be
 1843 | granted under this section is \$27.5 ~~\$18.5~~ million in the 2021-
 1844 | 2022 ~~2018-2019~~ fiscal year and \$10 million each fiscal year
 1845 | thereafter.

1846 | Section 32. Subsection (2) of section 220.186, Florida
 1847 | Statutes, is amended to read:

1848 | 220.186 Credit for Florida alternative minimum tax.—

1849 | (2) The credit pursuant to this section shall be the
 1850 | amount of the excess, if any, of the tax paid based upon taxable

ENROLLED

HB 7061, Engrossed 1

2021 Legislature

1851 income determined pursuant to s. 220.13(2)(k) over the amount of
 1852 tax which would have been due based upon taxable income without
 1853 application of s. 220.13(2)(k), before application of this
 1854 credit without application of any credit under s. 220.1875 or s.
 1855 220.1877.

1856 Section 33. Section 220.1877, Florida Statutes, is created
 1857 to read:

1858 220.1877 Credit for contributions to eligible charitable
 1859 organizations.—

1860 (1) For taxable years beginning on or after January 1,
 1861 2022, there is allowed a credit of 100 percent of an eligible
 1862 contribution made to an eligible charitable organization under
 1863 s. 402.62 against any tax due for a taxable year under this
 1864 chapter after the application of any other allowable credits by
 1865 the taxpayer. An eligible contribution must be made to an
 1866 eligible charitable organization on or before the date the
 1867 taxpayer is required to file a return pursuant to s. 220.222.
 1868 The credit granted by this section shall be reduced by the
 1869 difference between the amount of federal corporate income tax,
 1870 taking into account the credit granted by this section, and the
 1871 amount of federal corporate income tax without application of
 1872 the credit granted by this section.

1873 (2) A taxpayer who files a Florida consolidated return as
 1874 a member of an affiliated group pursuant to s. 220.131(1) may be
 1875 allowed the credit on a consolidated return basis; however, the

ENROLLED

HB 7061, Engrossed 1

2021 Legislature

1876 total credit taken by the affiliated group is subject to the
 1877 limitation established under subsection (1).

1878 (3) Section 402.62 applies to the credit authorized by
 1879 this section.

1880 (4) If a taxpayer applies and is approved for a credit
 1881 under s. 402.62 after timely requesting an extension to file
 1882 under s. 220.222(2):

1883 (a) The credit does not reduce the amount of tax due for
 1884 purposes of the department's determination as to whether the
 1885 taxpayer was in compliance with the requirement to pay tentative
 1886 taxes under ss. 220.222 and 220.32.

1887 (b) The taxpayer's noncompliance with the requirement to
 1888 pay tentative taxes shall result in the revocation and
 1889 rescindment of any such credit.

1890 (c) The taxpayer shall be assessed for any taxes,
 1891 penalties, or interest due from the taxpayer's noncompliance
 1892 with the requirement to pay tentative taxes.

1893 Section 34. Section 220.198, Florida Statutes, is created
 1894 to read:

1895 220.198 Internship tax credit program.—

1896 (1) This section may be cited as the "Florida Internship
 1897 Tax Credit Program."

1898 (2) As used in this section, the term:

1899 (a) "Full time" means at least 30 hours per week.

1900 (b) "Qualified business" means a business that is in

ENROLLED

HB 7061, Engrossed 1

2021 Legislature

1901 existence and has been continuously operating for at least 3
 1902 years.

1903 (c) "Student intern" means a person who has completed at
 1904 least 60 credit hours at a state university or a Florida College
 1905 System institution, regardless of whether the student intern
 1906 receives course credit for the internship; a person who is
 1907 enrolled in a career center operated by a school district under
 1908 s. 1001.44 or a charter technical career center; or any graduate
 1909 student enrolled at a state university.

1910 (3) For taxable years beginning on or after January 1,
 1911 2022, a qualified business is eligible for a credit against the
 1912 tax imposed by this chapter in the amount of \$2,000 per student
 1913 intern if all of the following apply:

1914 (a) The qualified business employed at least one student
 1915 intern in an internship in which the student intern worked full
 1916 time in this state for at least 9 consecutive weeks, and the
 1917 qualified business provides the department documentation
 1918 evidencing each internship claimed.

1919 (b) The qualified business provides the department
 1920 documentation for the current taxable year showing that at least
 1921 20 percent of the business' full-time employees were previously
 1922 employed by that business as student interns.

1923 (c) At the start of an internship, each student intern
 1924 provides the qualified business with verification by the student
 1925 intern's state university, Florida College System institution,

ENROLLED

HB 7061, Engrossed 1

2021 Legislature

1926 career center operated by a school district under s. 1001.44, or
 1927 charter technical career center that the student intern is
 1928 enrolled and maintains a minimum grade point average of 2.0 on a
 1929 4.0 scale, if applicable. The qualified business may accept a
 1930 letter from the applicable educational institution stating that
 1931 the student intern is enrolled as evidence that the student
 1932 meets these requirements.

1933 (4) Notwithstanding paragraph (3) (b), a qualified business
 1934 that, on average for the 3 immediately preceding years, employed
 1935 10 or fewer full-time employees may receive the tax credit if it
 1936 provides documentation that it previously hired at least one
 1937 student intern and, for the current taxable year, that it
 1938 employs on a full-time basis at least one employee who was
 1939 previously employed by that qualified business as a student
 1940 intern.

1941 (5) (a) A qualified business may not claim a tax credit of
 1942 more than \$10,000 in any one taxable year.

1943 (b) The combined total amount of tax credits which may be
 1944 granted to qualified businesses under this section is \$2.5
 1945 million in each of state fiscal years 2021-2022 and 2022-2023.
 1946 The department must approve the tax credit prior to the taxpayer
 1947 taking the credit on a return. The department must approve
 1948 credits on a first-come, first-served basis.

1949 (6) The department may adopt rules governing the manner
 1950 and form of applications for the tax credit and establishing

ENROLLED

HB 7061, Engrossed 1

2021 Legislature

1951 | qualification requirements for the tax credit.

1952 | (7) A qualified business may carry forward any unused
 1953 | portion of a tax credit under this section for up to 2 taxable
 1954 | years.

1955 | Section 35. Paragraph (e) of subsection (2) of section
 1956 | 288.0001, Florida Statutes, is amended to read:

1957 | 288.0001 Economic Development Programs Evaluation.—The
 1958 | Office of Economic and Demographic Research and the Office of
 1959 | Program Policy Analysis and Government Accountability (OPPAGA)
 1960 | shall develop and present to the Governor, the President of the
 1961 | Senate, the Speaker of the House of Representatives, and the
 1962 | chairs of the legislative appropriations committees the Economic
 1963 | Development Programs Evaluation.

1964 | (2) The Office of Economic and Demographic Research and
 1965 | OPPAGA shall provide a detailed analysis of economic development
 1966 | programs as provided in the following schedule:

1967 | ~~(c) Beginning January 1, 2018, and every 3 years~~
 1968 | ~~thereafter, an analysis of the Sports Development Program~~
 1969 | ~~established under s. 288.11625.~~

1970 | Section 36. Section 288.11625, Florida Statutes, is
 1971 | repealed.

1972 | Section 37. Subsection (4) of section 376.30781, Florida
 1973 | Statutes, is amended to read:

1974 | 376.30781 Tax credits for rehabilitation of drycleaning-
 1975 | solvent-contaminated sites and brownfield sites in designated

ENROLLED

HB 7061, Engrossed 1

2021 Legislature

1976 brownfield areas; application process; rulemaking authority;
 1977 revocation authority.—

1978 (4) The Department of Environmental Protection is
 1979 responsible for allocating the tax credits provided for in s.
 1980 220.1845, which may not exceed a total of \$27.5 ~~\$18.5~~ million in
 1981 tax credits in fiscal year 2021-2022 ~~2018-2019~~ and \$10 million
 1982 in tax credits each fiscal year thereafter.

1983 Section 38. Section 402.62, Florida Statutes, is created
 1984 to read:

1985 402.62 Strong Families Tax Credit.—

1986 (1) DEFINITIONS.—As used in this section, the term:

1987 (a) "Annual tax credit amount" means, for any state fiscal
 1988 year, the sum of the amount of tax credits approved under
 1989 paragraph (5) (b), including tax credits to be taken under s.
 1990 211.0253, s. 212.1834, s. 220.1877, s. 561.1213, or s.
 1991 624.51057, which are approved for taxpayers whose taxable years
 1992 begin on or after January 1 of the calendar year preceding the
 1993 start of the applicable state fiscal year.

1994 (b) "Division" means the Division of Alcoholic Beverages
 1995 and Tobacco of the Department of Business and Professional
 1996 Regulation.

1997 (c) "Eligible charitable organization" means an
 1998 organization designated by the Department of Children and
 1999 Families to be eligible to receive funding under this section.

2000 (d) "Eligible contribution" means a monetary contribution

ENROLLED

HB 7061, Engrossed 1

2021 Legislature

2001 from a taxpayer, subject to the restrictions provided in this
 2002 section, to an eligible charitable organization. The taxpayer
 2003 making the contribution may not designate a specific child
 2004 assisted by the eligible charitable organization as the
 2005 beneficiary of the contribution.

2006 (e) "Tax credit cap amount" means the maximum annual tax
 2007 credit amount that the Department of Revenue may approve for a
 2008 state fiscal year.

2009 (2) STRONG FAMILIES TAX CREDITS; ELIGIBILITY.—

2010 (a) The Department of Children and Families shall
 2011 designate as an eligible charitable organization an organization
 2012 that meets all of the following requirements:

2013 1. Is exempt from federal income taxation under s.
 2014 501(c)(3) of the Internal Revenue Code.

2015 2. Is a Florida entity formed under chapter 605, chapter
 2016 607, or chapter 617 and whose principal office is located in
 2017 this state.

2018 3. Provides services to:

2019 a. Prevent child abuse, neglect, abandonment, or
 2020 exploitation;

2021 b. Assist fathers in learning and improving parenting
 2022 skills or to engage absent fathers in being more engaged in
 2023 their children's lives;

2024 c. Provide books to the homes of children eligible for a
 2025 federal free or reduced-price meals program or those testing

ENROLLED

HB 7061, Engrossed 1

2021 Legislature

2026 | below grade level in kindergarten through grade 5;
 2027 | d. Assist families with children who have a chronic
 2028 | illness or a physical, intellectual, developmental, or emotional
 2029 | disability; or
 2030 | e. Provide workforce development services to families of
 2031 | children eligible for a federal free or reduced-price meals
 2032 | program.
 2033 | 4. Provides to the Department of Children and Families
 2034 | accurate information, including, at a minimum, a description of
 2035 | the services provided by the organization which are eligible for
 2036 | funding under this section; the total number of individuals
 2037 | served through those services during the last calendar year and
 2038 | the number served during the last calendar year using funding
 2039 | under this section; basic financial information regarding the
 2040 | organization and services eligible for funding under this
 2041 | section; outcomes for such services; and contact information for
 2042 | the organization.
 2043 | 5. Annually submits a statement, signed under penalty of
 2044 | perjury by a current officer of the organization, that the
 2045 | organization meets all criteria to qualify as an eligible
 2046 | charitable organization, has fulfilled responsibilities under
 2047 | this section for the previous fiscal year if the organization
 2048 | received any funding through this credit during the previous
 2049 | year, and intends to fulfill its responsibilities during the
 2050 | upcoming year.

ENROLLED

HB 7061, Engrossed 1

2021 Legislature

2051 6. Provides any documentation requested by the Department
 2052 of Children and Families to verify eligibility as an eligible
 2053 charitable organization or compliance with this section.

2054 (b) The Department of Children and Families may not
 2055 designate as an eligible charitable organization an organization
 2056 that:

2057 1. Provides abortions or pays for or provides coverage for
 2058 abortions; or

2059 2. Has received more than 50 percent of its total annual
 2060 revenue from the Department of Children and Families, either
 2061 directly or via a contractor of the department, in the prior
 2062 fiscal year.

2063 (3) RESPONSIBILITIES OF ELIGIBLE CHARITABLE
 2064 ORGANIZATIONS.—An eligible charitable organization that receives
 2065 a contribution under this section must do all of the following:

2066 (a) Apply for admittance into the Department of Law
 2067 Enforcement's Volunteer and Employee Criminal History System
 2068 and, if accepted, conduct background screening on all volunteers
 2069 and staff working directly with children in any program funded
 2070 under this section pursuant to s. 943.0542. Background screening
 2071 shall use level 2 screening standards pursuant to s. 435.04 and
 2072 additionally include, but need not be limited to, a check of the
 2073 Dru Sjodin National Sex Offender Public Website.

2074 (b) Expend 100 percent of any contributions received under
 2075 this section for direct services to state residents for the

ENROLLED

HB 7061, Engrossed 1

2021 Legislature

2076 | purposes specified in subparagraph (2) (a)3.

2077 | (c) Annually submit to the Department of Children and

2078 | Families:

2079 | 1. An audit of the eligible charitable organization

2080 | conducted by an independent certified public accountant in

2081 | accordance with auditing standards generally accepted in the

2082 | United States, government auditing standards, and rules adopted

2083 | by the Auditor General. The audit report must include a report

2084 | on financial statements presented in accordance with generally

2085 | accepted accounting principles. The audit report must be

2086 | provided to the Department of Children and Families within 180

2087 | days after completion of the eligible charitable organization's

2088 | fiscal year; and

2089 | 2. A copy of the eligible charitable organization's most

2090 | recent federal Internal Revenue Service Return of Organization

2091 | Exempt from Income Tax form (Form 990).

2092 | (d) Notify the Department of Children and Families within

2093 | 5 business days after the eligible charitable organization

2094 | ceases to meet eligibility requirements or fails to fulfill its

2095 | responsibilities under this section.

2096 | (e) Upon receipt of a contribution, provide the taxpayer

2097 | that made the contribution with a certificate of contribution. A

2098 | certificate of contribution must include the taxpayer's name

2099 | and, if available, its federal employer identification number,

2100 | the amount contributed, the date of contribution, and the name

ENROLLED

HB 7061, Engrossed 1

2021 Legislature

2101 of the eligible charitable organization.

2102 (4) RESPONSIBILITIES OF THE DEPARTMENT.—The Department of
 2103 Children and Families shall do all of the following:

2104 (a) Annually redesignate eligible charitable organizations
 2105 that have complied with all requirements of this section.

2106 (b) Remove the designation of organizations that fail to
 2107 meet all requirements of this section. An organization that has
 2108 had its designation removed by the department may reapply for
 2109 designation as an eligible charitable organization, and the
 2110 department shall redesignate such organization, if it meets the
 2111 requirements of this section and demonstrates through its
 2112 application that all factors leading to its removal as an
 2113 eligible charitable organization have been sufficiently
 2114 addressed.

2115 (c) Publish information about the tax credit program and
 2116 eligible charitable organizations on a Department of Children
 2117 and Families website. The website must, at a minimum, provide
 2118 all of the following:

2119 1. The requirements and process for becoming designated or
 2120 redesignated as an eligible charitable organization.

2121 2. A list of the eligible charitable organizations that
 2122 are currently designated by the department and the information
 2123 provided under subparagraph (2) (a) 4. regarding each eligible
 2124 charitable organization.

2125 3. The process for a taxpayer to select an eligible

ENROLLED

HB 7061, Engrossed 1

2021 Legislature

2126 charitable organization as the recipient of funding through a
 2127 tax credit.

2128 (d) Compel the return of funds that are provided to an
 2129 eligible charitable organization that fails to comply with the
 2130 requirements of this section. Eligible charitable organizations
 2131 that are subject to return of funds are ineligible to receive
 2132 funding under this section for a period 10 years after final
 2133 agency action to compel the return of funding.

2134 (5) STRONG FAMILIES TAX CREDITS; APPLICATIONS, TRANSFERS,
 2135 AND LIMITATIONS.—

2136 (a) Beginning in fiscal year 2021-2022, the tax credit cap
 2137 amount is \$5 million in each state fiscal year.

2138 (b) Beginning October 1, 2021, a taxpayer may submit an
 2139 application to the Department of Revenue for a tax credit or
 2140 credits to be taken under one or more of s. 211.0253, s.
 2141 212.1834, s. 220.1877, s. 561.1213, or s. 624.51057.

2142 1. The taxpayer shall specify in the application each tax
 2143 for which the taxpayer requests a credit and the applicable
 2144 taxable year for a credit under s. 220.1877 or s. 624.51057 or
 2145 the applicable state fiscal year for a credit under s. 211.0253,
 2146 s. 212.1834, or s. 561.1213. For purposes of s. 220.1877, a
 2147 taxpayer may apply for a credit to be used for a prior taxable
 2148 year before the date the taxpayer is required to file a return
 2149 for that year pursuant to s. 220.222. For purposes of s.
 2150 624.51057, a taxpayer may apply for a credit to be used for a

ENROLLED

HB 7061, Engrossed 1

2021 Legislature

2151 prior taxable year before the date the taxpayer is required to
2152 file a return for that prior taxable year pursuant to ss.
2153 624.509 and 624.5092. The application must specify the eligible
2154 charitable organization to which the proposed contribution will
2155 be made. The Department of Revenue shall approve tax credits on
2156 a first-come, first-served basis and must obtain the division's
2157 approval before approving a tax credit under s. 561.1213.

2158 2. Within 10 days after approving or denying an
2159 application, the Department of Revenue shall provide a copy of
2160 its approval or denial letter to the eligible charitable
2161 organization specified by the taxpayer in the application.

2162 (c) If a tax credit approved under paragraph (b) is not
2163 fully used within the specified state fiscal year for credits
2164 under s. 211.0253, s. 212.1834, or s. 561.1213 or against taxes
2165 due for the specified taxable year for credits under s. 220.1877
2166 or s. 624.51057 because of insufficient tax liability on the
2167 part of the taxpayer, the unused amount must be carried forward
2168 for a period not to exceed 10 years. For purposes of s.
2169 220.1877, a credit carried forward may be used in a subsequent
2170 year after applying the other credits and unused carryovers in
2171 the order provided in s. 220.02(8).

2172 (d) A taxpayer may not convey, transfer, or assign an
2173 approved tax credit or a carryforward tax credit to another
2174 entity unless all of the assets of the taxpayer are conveyed,
2175 assigned, or transferred in the same transaction. However, a tax

ENROLLED

HB 7061, Engrossed 1

2021 Legislature

2176 credit under s. 211.0253, s. 212.1834, s. 220.1877, s. 561.1213,
2177 or s. 624.51057 may be conveyed, transferred, or assigned
2178 between members of an affiliated group of corporations if the
2179 type of tax credit under s. 211.0253, s. 212.1834, s. 220.1877,
2180 s. 561.1213, or s. 624.51057 remains the same. A taxpayer shall
2181 notify the Department of Revenue of its intent to convey,
2182 transfer, or assign a tax credit to another member within an
2183 affiliated group of corporations. The amount conveyed,
2184 transferred, or assigned is available to another member of the
2185 affiliated group of corporations upon approval by the Department
2186 of Revenue. The Department of Revenue shall obtain the
2187 division's approval before approving a conveyance, transfer, or
2188 assignment of a tax credit under s. 561.1213.

2189 (e) Within any state fiscal year, a taxpayer may rescind
2190 all or part of a tax credit approved under paragraph (b). The
2191 amount rescinded shall become available for that state fiscal
2192 year to another eligible taxpayer as approved by the Department
2193 of Revenue if the taxpayer receives notice from the Department
2194 of Revenue that the rescindment has been accepted by the
2195 Department of Revenue. The Department of Revenue must obtain the
2196 division's approval before accepting the rescindment of a tax
2197 credit under s. 561.1213. Any amount rescinded under this
2198 paragraph must become available to an eligible taxpayer on a
2199 first-come, first-served basis based on tax credit applications
2200 received after the date the rescindment is accepted by the

ENROLLED

HB 7061, Engrossed 1

2021 Legislature

2201 Department of Revenue.

2202 (f) Within 10 days after approving or denying the

2203 conveyance, transfer, or assignment of a tax credit under

2204 paragraph (d), or the rescindment of a tax credit under

2205 paragraph (e), the Department of Revenue shall provide a copy of

2206 its approval or denial letter to the eligible charitable

2207 organization specified by the taxpayer. The Department of

2208 Revenue shall also include the eligible charitable organization

2209 specified by the taxpayer on all letters or correspondence of

2210 acknowledgment for tax credits under s. 212.1834.

2211 (g) For purposes of calculating the underpayment of

2212 estimated corporate income taxes under s. 220.34 and tax

2213 installment payments for taxes on insurance premiums or

2214 assessments under s. 624.5092, the final amount due is the

2215 amount after credits earned under s. 220.1877 or s. 624.51057

2216 for contributions to eligible charitable organizations are

2217 deducted.

2218 1. For purposes of determining if a penalty or interest

2219 under s. 220.34(2)(d)1. will be imposed for underpayment of

2220 estimated corporate income tax, a taxpayer may, after earning a

2221 credit under s. 220.1877, reduce any estimated payment in that

2222 taxable year by the amount of the credit.

2223 2. For purposes of determining if a penalty under s.

2224 624.5092 will be imposed, an insurer, after earning a credit

2225 under s. 624.51057 for a taxable year, may reduce any

ENROLLED

HB 7061, Engrossed 1

2021 Legislature

2226 installment payment for such taxable year of 27 percent of the
 2227 amount of the net tax due as reported on the return for the
 2228 preceding year under s. 624.5092(2)(b) by the amount of the
 2229 credit.

2230 (6) PRESERVATION OF CREDIT.—If any provision or portion of
 2231 this section, s. 211.0253, s. 212.1834, s. 220.1877, s.
 2232 561.1213, or s. 624.51057 or the application thereof to any
 2233 person or circumstance is held unconstitutional by any court or
 2234 is otherwise declared invalid, the unconstitutionality or
 2235 invalidity shall not affect any credit earned under s. 211.0253,
 2236 s. 212.1834, s. 220.1877, s. 561.1213, or s. 624.51057 by any
 2237 taxpayer with respect to any contribution paid to an eligible
 2238 charitable organization before the date of a determination of
 2239 unconstitutionality or invalidity. The credit shall be allowed
 2240 at such time and in such a manner as if a determination of
 2241 unconstitutionality or invalidity had not been made, provided
 2242 that nothing in this subsection by itself or in combination with
 2243 any other provision of law may result in the allowance of any
 2244 credit to any taxpayer in excess of one dollar of credit for
 2245 each dollar paid to an eligible charitable organization.

2246 (7) ADMINISTRATION; RULES.—

2247 (a) The Department of Revenue, the division, and the
 2248 Department of Children and Families may develop a cooperative
 2249 agreement to assist in the administration of this section, as
 2250 needed.

ENROLLED

HB 7061, Engrossed 1

2021 Legislature

2251 (b) The Department of Revenue may adopt rules necessary to
 2252 administer this section and ss. 211.0253, 212.1834, 220.1877,
 2253 561.1213, and 624.51057, including rules establishing
 2254 application forms, procedures governing the approval of tax
 2255 credits and carryforward tax credits under subsection (5), and
 2256 procedures to be followed by taxpayers when claiming approved
 2257 tax credits on their returns.

2258 (c) The division may adopt rules necessary to administer
 2259 its responsibilities under this section and s. 561.1213.

2260 (d) The Department of Children and Families may adopt
 2261 rules necessary to administer this section, including, but not
 2262 limited to, rules establishing application forms for
 2263 organizations seeking designation as eligible charitable
 2264 organizations under this act.

2265 (e) Notwithstanding any provision of s. 213.053 to the
 2266 contrary, sharing information with the division related to this
 2267 tax credit is considered the conduct of the Department of
 2268 Revenue's official duties as contemplated in s. 213.053(8)(c),
 2269 and the Department of Revenue and the division are specifically
 2270 authorized to share information as needed to administer this
 2271 program.

2272 Section 39. Paragraph (h) of subsection (1) of section
 2273 443.191, Florida Statutes, as created by section 17 of chapter
 2274 2021-2, Laws of Florida, is amended to read:

2275 443.191 Unemployment Compensation Trust Fund;

ENROLLED

HB 7061, Engrossed 1

2021 Legislature

2276 establishment and control.—

2277 (1) There is established, as a separate trust fund apart
 2278 from all other public funds of this state, an Unemployment
 2279 Compensation Trust Fund, which shall be administered by the
 2280 Department of Economic Opportunity exclusively for the purposes
 2281 of this chapter. The fund must consist of:

2282 (h) All money deposited in this account as a distribution
 2283 pursuant to s. 212.20(6)(d)6.g. ~~s. 212.20(6)(d)6.h.~~

2284
 2285 Except as otherwise provided in s. 443.1313(4), all moneys in
 2286 the fund must be mingled and undivided.

2287 Section 40. Section 561.1213, Florida Statutes, is created
 2288 to read:

2289 561.1213 Credit for contributions to eligible charitable
 2290 organizations.—Beginning January 1, 2022, there is allowed a
 2291 credit of 100 percent of an eligible contribution made to an
 2292 eligible charitable organization under s. 402.62 against any tax
 2293 due under s. 563.05, s. 564.06, or s. 565.12, except excise
 2294 taxes imposed on wine produced by manufacturers in this state
 2295 from products grown in this state. However, a credit allowed
 2296 under this section may not exceed 90 percent of the tax due on
 2297 the return on which the credit is taken. For purposes of the
 2298 distributions of tax revenue under ss. 561.121 and 564.06(10),
 2299 the division shall disregard any tax credits allowed under this
 2300 section to ensure that any reduction in tax revenue received

ENROLLED

HB 7061, Engrossed 1

2021 Legislature

2301 which is attributable to the tax credits results only in a
 2302 reduction in distributions to the General Revenue Fund. The
 2303 provisions of s. 402.62 apply to the credit authorized by this
 2304 section.

2305 Section 41. Subsection (7) of section 624.509, Florida
 2306 Statutes, is amended to read:

2307 624.509 Premium tax; rate and computation.—

2308 (7) Credits and deductions against the tax imposed by this
 2309 section shall be taken in the following order: deductions for
 2310 assessments made pursuant to s. 440.51; credits for taxes paid
 2311 under ss. 175.101 and 185.08; credits for income taxes paid
 2312 under chapter 220 and the credit allowed under subsection (5),
 2313 as these credits are limited by subsection (6); the credit
 2314 allowed under s. 624.51057; all other available credits and
 2315 deductions.

2316 Section 42. Section 624.51057, Florida Statutes, is
 2317 created to read:

2318 624.51057 Credit for contributions to eligible charitable
 2319 organizations.—

2320 (1) For taxable years beginning on or after January 1,
 2321 2022, there is allowed a credit of 100 percent of an eligible
 2322 contribution made to an eligible charitable organization under
 2323 s. 402.62 against any tax due for a taxable year under s.
 2324 624.509(1) after deducting from such tax deductions for
 2325 assessments made pursuant to s. 440.51; credits for taxes paid

ENROLLED

HB 7061, Engrossed 1

2021 Legislature

2326 under ss. 175.101 and 185.08; credits for income taxes paid
 2327 under chapter 220; the credit allowed under s. 624.509(5), as
 2328 such credit is limited by s. 624.509(6). An eligible
 2329 contribution must be made to an eligible charitable organization
 2330 on or before the date the taxpayer is required to file a return
 2331 pursuant to ss. 624.509 and 624.5092. An insurer claiming a
 2332 credit against premium tax liability under this section is not
 2333 required to pay any additional retaliatory tax levied under s.
 2334 624.5091 as a result of claiming such credit. Section 624.5091
 2335 does not limit such credit in any manner.

2336 (2) Section 402.62 applies to the credit authorized by
 2337 this section.

2338 Section 43. Clothing, wallets, or bags; school supplies,
 2339 personal computers, and personal computer-related accessories;
 2340 sales tax holiday.—

2341 (1) The tax levied under chapter 212, Florida Statutes,
 2342 may not be collected during the period from July 31, 2021,
 2343 through August 9, 2021, on the retail sale of:

2344 (a) Clothing, wallets, or bags, including handbags,
 2345 backpacks, fanny packs, and diaper bags, but excluding
 2346 briefcases, suitcases, and other garment bags, having a sales
 2347 price of \$60 or less per item. As used in this paragraph, the
 2348 term "clothing" means:

2349 1. Any article of wearing apparel intended to be worn on
 2350 or about the human body, excluding watches, watchbands, jewelry,

ENROLLED

HB 7061, Engrossed 1

2021 Legislature

2351 umbrellas, and handkerchiefs; and

2352 2. All footwear, excluding skis, swim fins, roller blades,
 2353 and skates.

2354 (b) School supplies having a sales price of \$15 or less
 2355 per item. As used in this paragraph, the term "school supplies"
 2356 means pens, pencils, erasers, crayons, notebooks, notebook
 2357 filler paper, legal pads, binders, lunch boxes, construction
 2358 paper, markers, folders, poster board, composition books, poster
 2359 paper, scissors, cellophane tape, glue or paste, rulers,
 2360 computer disks, staplers and staples used to secure paper
 2361 products, protractors, compasses, and calculators.

2362 (2) The tax levied under chapter 212, Florida Statutes,
 2363 may not be collected during the period from July 31, 2021,
 2364 through August 9, 2021, on the first \$1,000 of the sales price
 2365 of personal computers or personal computer-related accessories
 2366 purchased for noncommercial home or personal use. As used in
 2367 this subsection, the term:

2368 (a) "Personal computers" includes electronic book readers,
 2369 laptops, desktops, handhelds, tablets, or tower computers. The
 2370 term does not include cellular telephones, video game consoles,
 2371 digital media receivers, or devices that are not primarily
 2372 designed to process data.

2373 (b) "Personal computer-related accessories" includes
 2374 keyboards, mice, personal digital assistants, monitors, other
 2375 peripheral devices, modems, routers, and nonrecreational

ENROLLED

HB 7061, Engrossed 1

2021 Legislature

2376 software, regardless of whether the accessories are used in
2377 association with a personal computer base unit. The term does
2378 not include furniture or systems, devices, software, monitors
2379 with a television tuner, or peripherals that are designed or
2380 intended primarily for recreational use.

2381 (3) The tax exemptions provided in this section do not
2382 apply to sales within a theme park or entertainment complex as
2383 defined in s. 509.013(9), Florida Statutes, within a public
2384 lodging establishment as defined in s. 509.013(4), Florida
2385 Statutes, or within an airport as defined in s. 330.27(2),
2386 Florida Statutes.

2387 (4) The tax exemptions provided in this section may apply
2388 at the option of a dealer if less than 5 percent of the dealer's
2389 gross sales of tangible personal property in the prior calendar
2390 year consisted of items that would be exempt under this section.
2391 If a qualifying dealer chooses not to participate in the tax
2392 holiday, by July 24, 2021, the dealer must notify the Department
2393 of Revenue in writing of its election to collect sales tax
2394 during the holiday and must post a copy of that notice in a
2395 conspicuous location at its place of business.

2396 (5) The Department of Revenue is authorized, and all
2397 conditions are deemed met, to adopt emergency rules pursuant to
2398 s. 120.54(4), Florida Statutes, for the purpose of implementing
2399 this section. Notwithstanding any other provision of law,
2400 emergency rules adopted pursuant to this subsection are

ENROLLED

HB 7061, Engrossed 1

2021 Legislature

2401 effective for 6 months after adoption and may be renewed during
 2402 the pendency of procedures to adopt permanent rules addressing
 2403 the subject of the emergency rules.

2404 (6) This section shall take effect upon this act becoming
 2405 a law.

2406 Section 44. Disaster preparedness supplies; sales tax
 2407 holiday.—

2408 (1) The tax levied under chapter 212, Florida Statutes,
 2409 may not be collected during the period from May 28, 2021,
 2410 through June 6, 2021, on the sale of:

2411 (a) A portable self-powered light source selling for \$40
 2412 or less.

2413 (b) A portable self-powered radio, two-way radio, or
 2414 weather-band radio selling for \$50 or less.

2415 (c) A tarpaulin or other flexible waterproof sheeting
 2416 selling for \$100 or less.

2417 (d) An item normally sold as, or generally advertised as,
 2418 a ground anchor system or tie-down kit selling for \$100 or less.

2419 (e) A gas or diesel fuel tank selling for \$50 or less.

2420 (f) A package of AA-cell, AAA-cell, C-cell, D-cell, 6-
 2421 volt, or 9-volt batteries, excluding automobile and boat
 2422 batteries, selling for \$50 or less.

2423 (g) A nonelectric food storage cooler selling for \$60 or
 2424 less.

2425 (h) A portable generator used to provide light or

ENROLLED

HB 7061, Engrossed 1

2021 Legislature

2426 communications or preserve food in the event of a power outage
 2427 selling for \$1,000 or less.

2428 (i) Reusable ice selling for \$20 or less.

2429 (j) A portable power bank selling for \$60 or less.

2430 (2) The tax exemptions provided in this section do not
 2431 apply to sales within a theme park or entertainment complex as
 2432 defined in s. 509.013(9), Florida Statutes, within a public
 2433 lodging establishment as defined in s. 509.013(4), Florida
 2434 Statutes, or within an airport as defined in s. 330.27(2),
 2435 Florida Statutes.

2436 (3) The Department of Revenue is authorized, and all
 2437 conditions are deemed met, to adopt emergency rules pursuant to
 2438 s. 120.54(4), Florida Statutes, for the purpose of implementing
 2439 this section. Notwithstanding any other provision of law,
 2440 emergency rules adopted pursuant to this subsection are
 2441 effective for 6 months after adoption and may be renewed during
 2442 the pendency of procedures to adopt permanent rules addressing
 2443 the subject of the emergency rules.

2444 (4) This section shall take effect upon this act becoming
 2445 a law.

2446 Section 45. Admissions to music events, sporting events,
 2447 cultural events, specified performances, movies, museums, state
 2448 parks, and fitness facilities; boating and water activity
 2449 supplies, camping supplies, fishing supplies, general outdoor
 2450 supplies, and sports equipment; sales tax holiday.—

ENROLLED

HB 7061, Engrossed 1

2021 Legislature

2451 (1) The taxes levied under chapter 212, Florida Statutes,
 2452 may not be collected on purchases made during the period from
 2453 July 1, 2021, through July 7, 2021, on:

2454 (a) The sale by way of admissions, as defined in s.
 2455 212.02(1), Florida Statutes, for:

2456 1. A live music event scheduled to be held on any date or
 2457 dates from July 1, 2021, through December 31, 2021;

2458 2. A live sporting event scheduled to be held on any date
 2459 or dates from July 1, 2021, through December 31, 2021;

2460 3. A movie to be shown in a movie theater on any date or
 2461 dates from July 1, 2021, through December 31, 2021;

2462 4. Entry to a museum, including any annual passes;

2463 5. Entry to a state park, including any annual passes;

2464 6. Entry to a ballet, play, or musical theatre performance
 2465 scheduled to be held on any date or dates from July 1, 2021,
 2466 through December 31, 2021;

2467 7. Season tickets for ballets, plays, music events, or
 2468 musical theatre performances;

2469 8. Entry to a fair, festival, or cultural event scheduled
 2470 to be held on any date or dates from July 1, 2021, through
 2471 December 31, 2021; or

2472 9. Use of or access to private and membership clubs
 2473 providing physical fitness facilities from July 1, 2021, through
 2474 December 31, 2021.

2475 (b) The retail sale of boating and water activity

ENROLLED

HB 7061, Engrossed 1

2021 Legislature

2476 supplies, camping supplies, fishing supplies, general outdoor
 2477 supplies, and sports equipment. As used in this section, the
 2478 term:

2479 1. "Boating and water activity supplies" means the first
 2480 \$75 of the sales price of life jackets and coolers; the first
 2481 \$50 of the sales price of safety flares; the first \$150 of the
 2482 sales price of water skis, wakeboards, kneeboards, and
 2483 recreational inflatable water tubes or floats capable of being
 2484 towed; the first \$300 of the sales price of paddleboards and
 2485 surfboards; the first \$500 of the sales price of canoes and
 2486 kayaks; the first \$75 of the sales price of paddles and oars;
 2487 and the first \$25 of the sales price of snorkels, goggles, and
 2488 swimming masks.

2489 2. "Camping supplies" means the first \$200 of the sales
 2490 price of tents; the first \$50 of the sales price of sleeping
 2491 bags, portable hammocks, camping stoves, and collapsible camping
 2492 chairs; and the first \$30 of the sales price of camping lanterns
 2493 and flashlights.

2494 3. "Fishing supplies" means the first \$75 of the sales
 2495 price of rods and reels, if sold individually, or the first \$150
 2496 of the sales price if sold as a set; the first \$30 of the sales
 2497 price of tackle boxes or bags; and the first \$5 of the sale
 2498 price of bait or fishing tackle, if sold individually, or the
 2499 first \$10 of the sales price if multiple items are sold
 2500 together. The term does not include supplies used for commercial

ENROLLED

HB 7061, Engrossed 1

2021 Legislature

2501 fishing purposes.

2502 4. "General outdoor supplies" means the first \$15 of the
 2503 sales price of sunscreen or insect repellent; the first \$100 of
 2504 the sales price of sunglasses; the first \$200 of the sales price
 2505 of binoculars; the first \$30 of the sales price of water
 2506 bottles; the first \$50 of the sales price of hydration packs;
 2507 the first \$250 of the sales price of outdoor gas or charcoal
 2508 grills; the first \$50 of the sales price of bicycle helmets; and
 2509 the first \$250 of the sales price of bicycles.

2510 5. "Sports equipment" means any item used in individual or
 2511 team sports, not including clothing or footwear, selling for \$40
 2512 or less.

2513 (2) The tax exemptions provided in this section do not
 2514 apply to sales within a theme park or entertainment complex as
 2515 defined in s. 509.013(9), Florida Statutes, within a public
 2516 lodging establishment as defined in s. 509.013(4), Florida
 2517 Statutes, or within an airport as defined in s. 330.27(2),
 2518 Florida Statutes.

2519 (3) If a purchaser of an admission purchases the admission
 2520 exempt from tax pursuant to this section and subsequently
 2521 resells the admission, the purchaser shall collect tax on the
 2522 full sales price of the resold admission.

2523 (4) The Department of Revenue is authorized, and all
 2524 conditions are deemed to be met, to adopt emergency rules
 2525 pursuant to s. 120.54(4), Florida Statutes, to administer this

ENROLLED

HB 7061, Engrossed 1

2021 Legislature

2526 section.

2527 (5) This section shall take effect upon this act becoming
 2528 a law.

2529 Section 46. Section 14 of chapter 2021-2, Laws of Florida,
 2530 is amended to read:

2531 Section 14. Effective on the first day of the second month
 2532 following the repeal of s. 212.20(6)(d)6.g. ~~s. 212.20(6)(d)6.h.~~,
 2533 Florida Statutes, by its terms, paragraphs (c) and (d) of
 2534 subsection (1) of section 212.031, Florida Statutes, are amended
 2535 to read:

2536 212.031 Tax on rental or license fee for use of real
 2537 property.—

2538 (1)

2539 (c) For the exercise of such privilege, a tax is levied at
 2540 the rate of 2.0 ~~5.5~~ percent of and on the total rent or license
 2541 fee charged for such real property by the person charging or
 2542 collecting the rental or license fee. The total rent or license
 2543 fee charged for such real property shall include payments for
 2544 the granting of a privilege to use or occupy real property for
 2545 any purpose and shall include base rent, percentage rents, or
 2546 similar charges. Such charges shall be included in the total
 2547 rent or license fee subject to tax under this section whether or
 2548 not they can be attributed to the ability of the lessor's or
 2549 licensor's property as used or operated to attract customers.
 2550 Payments for intrinsically valuable personal property such as

ENROLLED

HB 7061, Engrossed 1

2021 Legislature

2551 franchises, trademarks, service marks, logos, or patents are not
 2552 subject to tax under this section. In the case of a contractual
 2553 arrangement that provides for both payments taxable as total
 2554 rent or license fee and payments not subject to tax, the tax
 2555 shall be based on a reasonable allocation of such payments and
 2556 shall not apply to that portion which is for the nontaxable
 2557 payments.

2558 (d) If the rental or license fee of any such real property
 2559 is paid by way of property, goods, wares, merchandise, services,
 2560 or other thing of value, the tax shall be at the rate of 2.0 ~~5.5~~
 2561 percent of the value of the property, goods, wares, merchandise,
 2562 services, or other thing of value.

2563 Section 47. For the purpose of incorporating the amendment
 2564 made by this act to section 197.222, Florida Statutes, in a
 2565 reference thereto, paragraph (a) of subsection (3) of section
 2566 192.0105, Florida Statutes, is reenacted to read:

2567 192.0105 Taxpayer rights.—There is created a Florida
 2568 Taxpayer's Bill of Rights for property taxes and assessments to
 2569 guarantee that the rights, privacy, and property of the
 2570 taxpayers of this state are adequately safeguarded and protected
 2571 during tax levy, assessment, collection, and enforcement
 2572 processes administered under the revenue laws of this state. The
 2573 Taxpayer's Bill of Rights compiles, in one document, brief but
 2574 comprehensive statements that summarize the rights and
 2575 obligations of the property appraisers, tax collectors, clerks

ENROLLED

HB 7061, Engrossed 1

2021 Legislature

2576 of the court, local governing boards, the Department of Revenue,
 2577 and taxpayers. Additional rights afforded to payors of taxes and
 2578 assessments imposed under the revenue laws of this state are
 2579 provided in s. 213.015. The rights afforded taxpayers to assure
 2580 that their privacy and property are safeguarded and protected
 2581 during tax levy, assessment, and collection are available only
 2582 insofar as they are implemented in other parts of the Florida
 2583 Statutes or rules of the Department of Revenue. The rights so
 2584 guaranteed to state taxpayers in the Florida Statutes and the
 2585 departmental rules include:

2586 (3) THE RIGHT TO REDRESS.—

2587 (a) The right to discounts for early payment on all taxes
 2588 and non-ad valorem assessments collected by the tax collector,
 2589 except for partial payments as defined in s. 197.374, the right
 2590 to pay installment payments with discounts, and the right to pay
 2591 delinquent personal property taxes under a payment program when
 2592 implemented by the county tax collector (see ss. 197.162,
 2593 197.3632(8) and (10)(b)3., 197.222(1), and 197.4155).

2594 Section 48. For the purpose of incorporating the
 2595 amendments made by this act to sections 193.155, 193.1554, and
 2596 193.1555, Florida Statutes, in references thereto, section
 2597 193.1557, Florida Statutes, is reenacted to read:

2598 193.1557 Assessment of certain property damaged or
 2599 destroyed by Hurricane Michael.—For property damaged or
 2600 destroyed by Hurricane Michael in 2018, s. 193.155(4)(b), s.

ENROLLED

HB 7061, Engrossed 1

2021 Legislature

2601 193.1554(6) (b), or s. 193.1555(6) (b) applies to changes,
 2602 additions, or improvements commenced within 5 years after
 2603 January 1, 2019. This section applies to the 2019-2023 tax rolls
 2604 and shall stand repealed on December 31, 2023.

2605 Section 49. For the purpose of incorporating the amendment
 2606 made by this act to section 210.20, Florida Statutes, in a
 2607 reference thereto, section 210.205, Florida Statutes, is
 2608 reenacted to read:

2609 210.205 Cigarette tax distribution reporting.—By March 15
 2610 of each year, each entity that received a distribution pursuant
 2611 to s. 210.20(2) (b) in the preceding calendar year shall report
 2612 to the Office of Economic and Demographic Research the following
 2613 information:

2614 (1) An itemized accounting of all expenditures of the
 2615 funds distributed in the preceding calendar year, including
 2616 amounts spent on debt service.

2617 (2) A statement indicating what portion of the distributed
 2618 funds have been pledged for debt service.

2619 (3) The original principal amount and current debt service
 2620 schedule of any bonds or other borrowing for which the
 2621 distributed funds have been pledged for debt service.

2622 Section 50. For the purpose of incorporating the amendment
 2623 made by this act to section 212.13, Florida Statutes, in a
 2624 reference thereto, paragraph (f) of subsection (18) of section
 2625 212.08, Florida Statutes, is reenacted to read:

ENROLLED

HB 7061, Engrossed 1

2021 Legislature

2626 212.08 Sales, rental, use, consumption, distribution, and
 2627 storage tax; specified exemptions.—The sale at retail, the
 2628 rental, the use, the consumption, the distribution, and the
 2629 storage to be used or consumed in this state of the following
 2630 are hereby specifically exempt from the tax imposed by this
 2631 chapter.

2632 (18) MACHINERY AND EQUIPMENT USED PREDOMINANTLY FOR
 2633 RESEARCH AND DEVELOPMENT.—

2634 (f) Purchasers shall maintain all documentation necessary
 2635 to prove the exempt status of purchases and fabrication activity
 2636 and make such documentation available for inspection pursuant to
 2637 the requirements of s. 212.13(2).

2638 Section 51. (1) The Department of Revenue is authorized,
 2639 and all conditions are deemed met, to adopt emergency rules
 2640 pursuant to s. 120.54(4), Florida Statutes, for the purpose of
 2641 implementing:

2642 (a) The amendment made by this act to s. 212.06, Florida
 2643 Statutes;

2644 (b) The provisions related to the Strong Families Tax
 2645 Credit created by this act; and

2646 (c) The provisions related to the Florida Internship Tax
 2647 Credit Program created by this act.

2648 (2) Notwithstanding any other law, emergency rules adopted
 2649 pursuant to subsection (1) are effective for 6 months after
 2650 adoption and may be renewed during the pendency of procedures to

ENROLLED

HB 7061, Engrossed 1

2021 Legislature

2651 adopt permanent rules addressing the subject of the emergency
 2652 rules.

2653 (3) This section shall take effect upon this act becoming
 2654 a law and expires January 1, 2025.

2655 Section 52. For the 2021-2022 fiscal year, the sum of
 2656 \$208,000 in nonrecurring funds is appropriated from the General
 2657 Revenue Fund to the Department of Revenue for the purpose of
 2658 implementing the provisions related to the Strong Families Tax
 2659 Credit created by this act.

2660 Section 53. The Florida Institute for Child Welfare shall
 2661 analyze the use of funding provided by the tax credit authorized
 2662 under s. 402.62, Florida Statutes, as created by this act, and
 2663 submit a report to the Governor, the President of the Senate,
 2664 and the Speaker of the House of Representatives by October 31,
 2665 2025. The report must, at a minimum, include the total funding
 2666 amount and categorize the funding by type of program, describe
 2667 the programs that were funded, and assess the outcomes that were
 2668 achieved using the funding.

2669 Section 54. Except as otherwise expressly provided in this
 2670 act and except for this section, which shall take effect upon
 2671 this act becoming a law, this act shall take effect July 1,
 2672 2021.