

CHAPTER 2010-83

House Bill No. 281

An act relating to communications services taxes; amending s. 202.29, F.S.; authorizing dealers to report a credit for bad debt by netting the credit against the tax due; authorizing dealers to use a proportionate allocation method or other reasonable method in determining the amount of bad debt attributable to the state or local jurisdiction; providing for retroactive operation; specifying that the act is remedial in nature and not a basis for certain refunds of tax; providing an effective date.

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

Section 1. Subsection (4) is added to section 202.29, Florida Statutes, to read:

202.29 Bad debts.—

(4)(a) A dealer may report the credit for bad debt allowed under this section by netting such credit against the tax due to the state pursuant to s. 202.12 or to a local jurisdiction pursuant to s. 202.19, but such netting may not reduce the amount due to the state or to any local jurisdiction below zero.

(b) For purposes of determining the amount of bad debt that is attributable to the state or to a local jurisdiction, a dealer may employ a proportionate allocation method based on current gross taxes due or another reasonable allocation method approved by the department.

Section 2. This act shall operate retroactively to July 1, 2000; however, the retroactive operation of this act is remedial in nature, does not create a right to a refund, and does not require a refund by any governmental entity of any tax, penalty, or interest remitted to the Department of Revenue before July 1, 2010.

Section 3. This act shall take effect July 1, 2010.

Approved by the Governor May 14, 2010.

Filed in Office Secretary of State May 14, 2010.