Amendment No. 4

Committee/Subcommittee hearing bill: Appropriations Committee
Representative Avila offered the following:

Amendment (with title amendment)
Remove lines 389-417 and insert:
paragraphs (c) and (d) of subsection (11) of section 192.001, Florida Statutes, are amended to read:

192.001 Definitions.—All definitions set out in chapters 1 and 200 that are applicable to this chapter are included herein. In addition, the following definitions shall apply in the imposition of ad valorem taxes:

(11) "Personal property," for the purposes of ad valorem taxation, shall be divided into four categories as follows:

   (c) 1. "Inventory" means only those chattels consisting of items commonly referred to as goods, wares, and merchandise (as well as inventory) which are held for sale or lease to customers
in the ordinary course of business. Supplies and raw materials shall be considered to be inventory only to the extent that they are acquired for sale or lease to customers in the ordinary course of business or will physically become a part of merchandise intended for sale or lease to customers in the ordinary course of business. Partially finished products which when completed will be held for sale or lease to customers in the ordinary course of business shall be deemed items of inventory. All livestock shall be considered inventory. Items of inventory held for lease to customers in the ordinary course of business, rather than for sale, shall be deemed inventory only prior to the initial lease of such items. For the purposes of this section, fuels used in the production of electricity shall be considered inventory.

2. "Inventory" also means construction and agricultural equipment weighing 1,000 pounds or more that is returned to a dealership under a rent-to-purchase option and held for sale to customers in the ordinary course of business. This subparagraph may not be considered in determining whether property that is not construction and agricultural equipment weighing 1,000 pounds or more that is returned under a rent-to-purchase option is inventory under subparagraph 1.

3. Notwithstanding any provision in this section to the contrary, the term "inventory", for all levies other than school district levies, also means construction equipment owned by a
heavy equipment rental dealer for sale or short-term rental in
the normal course of business on the annual assessment date. For
the purposes of this chapter and chapter 196, the term “heavy
equipment rental dealer” means a person or entity principally
engaged in the business of short term rental and sale of
equipment described under 532412 of the North American Industry
Classification System including attachments for the equipment or
other ancillary equipment. As used in this subparagraph, the
term “short-term rental” means the rental of a dealer’s heavy
equipment rental property for a period of less than 365 days,
under an open ended contract, or under a contract with unlimited
terms. The prior short-term rental of any construction or
industrial equipment does not disqualify such property from
qualifying as inventory under this subsection following the term
of such rental. This section may not be construed to consider as
inventory heavy equipment rented with an operator.

(d) "Tangible personal property" means all goods,
chattels, and other articles of value (but does not include the
vehicular items enumerated in s. 1(b), Art. VII of the State
Constitution and elsewhere defined) capable of manual possession
and whose chief value is intrinsic to the article itself.
"Construction work in progress" consists of those items of
tangible personal property commonly known as fixtures,
machinery, and equipment when in the process of being installed
in new or expanded improvements to real property and whose value
is materially enhanced upon connection or use with a
preexisting, taxable, operational system or facility.
Construction work in progress shall be deemed substantially
completed when connected with the preexisting, taxable,
operational system or facility. For the purposes of tangible
personal property constructed or installed by an electric
utility, construction work in progress is not deemed
substantially completed unless all permits or approvals required
for commercial operation have been received or approved.
Inventory and household goods are expressly excluded from this
definition.

Section 3. The amendment made by this act to s.
192.001(11)(d),

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

Remove line 10 and insert:
impaired; amending s. 192.001, F.S.; amending the definition of
the term “inventory”; specifying the