

**Frequently Asked Questions**  
**Amendment 1 (SB 4D) Implementation**  
**Florida Department of Revenue**

Last update: 02/20/08

These FAQs contain general information offered by the Department to assist in the administration of Chapter 2007-339, Laws of Florida (SB 4D). See Emergency Rule 12DER08-03 Tangible Personal Property Exemption, effective February 12, 2008.

**Section B: Tangible Personal Property Exemption**

- 1/18/08 B1 What constitutes a “site where the owner of tangible personal property transacts business?”

The “site where the owner of tangible personal property transacts business” includes facilities where the business ships or receives goods; employees of the business are located; goods or equipment of the business are stored; goods or services of the business are produced, manufactured or developed; or similar facilities located in offices, stores, warehouses, plants or other locations of the business.

Not considered a “site where the owner of tangible personal property transacts business” is a site where freestanding property, placed at multiple sites in a county, is located. Such freestanding property includes vending and amusement machines, LP/propane tanks, utility and cable company property, billboards, leased equipment, and similar property not customarily located in the offices, stores, or plants of the owner.

- 1/18/08 B2 For a business leasing copying machines or other freestanding equipment, does the location where the equipment is located constitute a site where the owner transacts business?

No. If it is not a site where one or more of the activities stated in the answer to B1 occur, it is not considered a site where the owner transacts business.

- 1/18/08 B3 Do owners of freestanding equipment that is not located where the owner transacts business receive an exemption for such equipment? How is the exemption to be allocated to taxing authorities?

Yes. Section 196.183(1), F.S., specifically states that a single return must be filed, and therefore a single exemption granted, for all freestanding equipment not located at the place where the owner transacts business. The property appraiser is responsible for allocating the exemption to taxing jurisdictions in which

freestanding equipment is located. Allocation should be based on the proportionate share of the just value of such property in each jurisdiction.

- 1/18/08 B4 Can the property appraiser delete exempt accounts, such as mobile home appurtenances, from the roll and not report such accounts to the Department of Revenue?

No. Current law requires that all tangible personal property be assessed and recorded on the tax roll.

- 1/18/08 B5 If no return is required from exempt accounts, how will the property appraiser know the correct value for the account?

Value should be determined based on previous returns and discovery by the property appraiser. If the property appraiser believes that new property has been added or that value has increased above the \$25,000 exemption, a return may be sent to the taxpayer. If the property appraiser believes the value is greater than \$25,000, the law requires that the property is subject to taxation.