

Florida Department of Revenue Tax Information Publication



No: 13A01-06

Date Issued: June 10, 2013

Sales and Use Tax Exemption for Purchases of Industrial Machinery and Equipment

Effective April 30, 2014, an exemption from sales and use tax is available for purchases of industrial machinery and equipment used at a fixed location in Florida by an eligible manufacturing business that will manufacture, process, compound, or produce for sale items of tangible personal property. The exemption also includes parts and accessories for the industrial machinery and equipment if they are purchased before the date the machinery and equipment are placed in service.

An "eligible manufacturing business" means any business whose primary business activity at the location where the industrial machinery and equipment are located is within the industries classified under manufacturing NAICS (North American Industry Classification System) codes 31, 32, and 33 published in 2007 by the Office of Management and Budget, Executive Office of the President. The primary business activity of an eligible business is that activity which represents more than 50 percent of the activities conducted at the location where the industrial machinery and equipment are located.

Examples of types of manufacturing establishments represented by the applicable NAICS codes include, but are not limited to, food, apparel, wood, paper, printing, chemical, pharmaceutical, plastic, rubber, metal, transportation, and furniture. A search of qualifying establishments by keyword or NAICS code can be conducted via the internet at http://www.census.gov/cgi-bin/sssd/naics/naicsrch.

The selling dealer (vendor) should obtain a signed certificate from the purchaser certifying the purchaser's entitlement to tax exemption under the exemption statute. The signed certificate will relieve the selling dealer of any potential tax liability on nonqualifying purchases. Attached is a suggested certificate the selling dealer can have the purchaser complete to document the exempt nature of the sales transaction.

Qualifying purchases made after the effective date of the exemption are eligible for refund of any tax paid under the refund provisions provided by section 215.26, Florida Statutes (F.S.), *Repayment of Funds Paid into State Treasury Through Error*, and Rule 12A-1.014, Florida Administrative Code (F.A.C.), *Refunds and Credits for Sales Tax Erroneously Paid*.

The exemption is scheduled for repeal effective April 30, 2017.

This exemption does not replace the exemption provided for qualifying purchases by a new or expanding business under section 212.08(5)(b) and (d), F.S. Each of these exemptions remains in effect under current statute without change. See also Rule 12A-1.096, F.A.C.

References: Section 6, Chapter 2013-39, Laws of Florida; and Section 212.08(7)(kkk), Florida Statutes

For More Information

This document is intended to alert you to the requirements contained in Florida laws and administrative rules. It does not by its own effect create rights or require compliance.

For forms and other information, visit our Internet site at www.myflorida.com/dor or call Taxpayer Services, 8:00 a.m. to 7:00 p.m., ET, Monday through Friday, excluding holidays, at 800-352-3671.

For a detailed written response to your questions, write the Florida Department of Revenue, Taxpayer Services, Mail Stop 3-2000, 5050 West Tennessee Street, Tallahassee, FL 32399-0112.

Want the latest tax information?

✓ Subscribe to our tax publications or sign up
for due date reminders at www.myflorida.com/dor/list

✓ Follow us on Twitter @MyFLDOR_TaxInfo

SUGGESTED EXEMPTION CERTIFICATE FOR PURCHASES OF INDUSTRIAL MACHINERY AND EQUIPMENT, PARTS, AND ACCESSORIES

incorporated within a purchase order itself	f.]
(Date) from	equipment, parts, or accessories purchased on or after (Vendor's Name) are
exempt from sales tax under paragraph 21	2.08(7)(kkk), F.S.
location in Florida atAddress and City), Florida, to manufacture personal property for sale. The parts and a	d by an eligible manufacturing business at a fixed (Street e, process, compound, or produce items of tangible accessories purchased for the machinery and equipment hased prior to the date the machinery and equipment are
	(Name of Purchasing Business) is a n industry classified under NAICS codes 31, 32, or 33, as Classification System, as published in 2007 by the Office of the President.
	quipment, parts, or accessories for any nonexempt rice directly to the Florida Department of Revenue.
	s Certificate to evade payment of sales tax, I will be penalty of 200% of the tax, and may be subject to
Purchaser's Name (Print or Type)	Title
Purchaser's Signature	-
Florida Sales Tax Number	Federal Employer Identification
 Date	Telephone Number

This certificate relieves the vendor from the responsibility of collecting tax on exempt sales amounts. The Department will look solely to the purchaser for recovery of tax if the purchaser was not entitled to the exemption.

Form to be retained in vendor's records. Do not send to the Florida Department of Revenue.