



Tax Information Publication

TIP

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Sales and Use Tax Exemption for Renewable Natural Gas Machinery and Equipment

Effective July 1, 2023, the purchase of machinery and equipment that is used at a fixed location and primarily used in the production, storage, transportation, compression, or blending of renewable natural gas is exempt from Florida sales tax.

Renewable natural gas (RNG) is anaerobically generated biogas, landfill gas, or wastewater treatment gas refined to a methane content of 90% or greater that may be used as transportation fuel or for electric generation or is of a quality capable of being injected into a natural gas pipeline.

Purchasers of machinery and equipment qualifying for the exemption must provide the seller with an affidavit stating the machinery or equipment is exempt from sales and use tax as provided in section 212.08(5)(v), Florida Statutes. A suggested affidavit is attached.

Purchasers who hold a *Sales and Use Tax Direct Pay Permit* (Form DR-16A) may issue their permit instead of an affidavit to purchase qualifying machinery and equipment tax-exempt.

References: Chapter 2023-157, Laws of Florida; Section 212.08(5)(v), 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 the Department's website at floridarevenue.com or call Taxpayer Services at 850-488-6800, Monday through Friday (excluding holidays).

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

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Affidavit

Machinery and Equipment Used in the Production, Storage, Transportation, Compression, or Blending of Renewable Natural Gas

I, the undersigned individual, hereby declare that I am the purchaser or the purchaser's agent or representative authorized to act for _____ (Purchaser) and that the machinery or equipment purchased from _____ (Seller) on invoice No(s.) _____ will be used at _____ (Address).

I further declare that the machinery or equipment purchased is primarily used in the production, storage, transportation, compression, or blending of renewable natural gas (RNG) and is exempt from tax as provided in section 212.08(5)(v), Florida Statutes.

I understand that if I fraudulently issue this affidavit to evade payment of Florida sales and use tax, I will be liable for payment of the tax plus a penalty of 200% of the tax and may be subject to conviction of a third-degree felony.

Under penalties of perjury, I declare that I have read the foregoing affidavit and that the facts stated in it are true to the best of my knowledge and belief.

Signature of Purchaser or Purchaser's Agent or Representative

Title Date