



Tax Information Publication

TIP

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Payments for the Purchase and Lease of Items Used for the Operation or Maintenance of a Municipally-Owned Golf Course

Effective July 1, 2017, payments made for the purchase or lease of items used for the operation or maintenance of a municipally-owned golf course by an entity under contract with a municipality to maintain or operate a municipally-owned golf course are considered to be made directly by the municipality when the following requirements are met:

- Payment is made from golf course revenues or other funds provided by the municipality for use by the entity under contract;
- The municipally-owned golf course is located in a county with a minimum population of 2 million residents; and,
- Youth education programs are conducted on an ongoing basis at the municipally-owned golf course by a nonprofit organization exempt from federal income tax under section 501(c)(3) of the Internal Revenue Code.

Selling dealers are required to document tax-exempt sales and maintain the documentation in their records. When making exempt sales to an entity under contract with a municipality for such purpose as addressed above, a selling dealer should obtain a copy of the municipality's Consumer's Certificate of Exemption. Selling dealers should also retain a signed copy of the affidavit as provided for in the following suggested format:

AFFIDAVIT TO BE USED BY THE OPERATOR OF A QUALIFYING MUNICIPALLY-OWNED GOLF COURSE TO MAKE TAX EXEMPT PURCHASES

_____ (purchaser's name) certifies that the tangible personal property purchased or leased on or after _____ (date) is exempt from sales tax because the property will be used for the operation or maintenance of _____ (a municipally-owned golf course), and that the following requirements have been met:

- Payment is made from golf course revenues or other funds provided by _____ (the municipality) for use by the purchaser;
- The municipally-owned golf course is located in a county with a minimum population of 2 million residents; and,
- Youth education programs are conducted on an ongoing basis at the municipally-owned golf course by a nonprofit organization exempt from federal income tax under section 501(c)(3) of the Internal Revenue Code.

The undersigned understands that if the items purchased or leased do not qualify for exemption, or if the payment requirements listed above are not met, the undersigned will be liable for sales and use tax, interest, and penalties. Purchaser further understands that when any person fraudulently issues,

for the purpose of evading tax, a certificate or statement in writing to a vendor or to any agent of the state in which he or she claims exemption from the sales tax, such person, in addition to being liable for payment of the tax plus a mandatory penalty of 200% of the tax, shall be liable for fine and punishment provided by law for conviction of a felony of the third degree, as provided in s. 775.082, s. 775.083, or s. 775.084, Florida Statutes.

Purchaser's Name (Print or Type)

Date

Signature

Title

Name and Address of Municipally-Owned Golf Course

Consumer's Certificate of Exemption Number

A selling dealer may verify a government entity's certificate exemption number by obtaining a transaction authorization number by visiting the Department's online Certificate Verification System at <https://verify-taxcerts.floridarevenue.com>, using the FL Tax mobile application or calling the Department's automated toll-free verification system at 877-357-3725.

References: Chapter 2017-36, Laws of Florida; Section 212.08(6)(d), Florida Statutes; Rule 12A-1.038, Florida Administrative Code

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 website at www.floridarevenue.com or call Taxpayer Services at 800-352-3671, 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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