

Florida Department of Revenue
Tax Information Publication

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REVISED

FLORIDA CORPORATE INCOME TAX "PIGGYBACKS"
2006 INTERNAL REVENUE CODE

Every year, the Florida Legislature adopts the current Internal Revenue Code (Chapter 26, United States Code) so that certain tax definitions and the calculation of adjusted federal income are consistent between the Internal Revenue Code and the Florida Income Tax Code (Chapter 220, Florida Statutes). The Florida corporate income tax "piggybacks" federal income tax determinations, and uses adjusted federal income as the starting point for computing Florida net income.

Chapter 2006-46, Laws of Florida, amends the Florida Income Tax Code to adopt the Internal Revenue Code, retroactive to January 1, 2006. This means that Florida will follow the computation of federal taxable income, including the new provisions contained in the GO (Gulf Opportunity) Zone legislation, which was signed into law December 21, 2005.

Florida does not allow any adjustment to income for federal credits unless specifically mentioned in the Florida statutes. Section 220.13(1)(b)3., Florida Statutes does allow deductions when no federal deductions are allowed pursuant to section 280C(a) Internal Revenue code. For example, Florida does allow a subtraction from income for the wages paid or incurred within Florida that were not included in the federal deduction for salaries because they were claimed as the new federal Employee Retention Credit.

Reference: Chapter 2006-46, Laws of Florida

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 or 850-488-6800.

Persons with hearing or speech impairments may call our TDD at 800-367-8331 or 850-922-1115.

For a detailed written response to your questions, write the Florida Department of Revenue, Taxpayer Services, 1379

Blountstown Highway, Tallahassee, FL 32304-2716.