



Governmental Leasehold
Intangible Personal Property Tax Return
For 2009 Tax Year

DR-601G
R. 01/09
Page 1

Rule 12C-2.0115
Florida Administrative Code
Effective 01/09



FEIN :
SSN (if no FEIN) :
Business Partner # :
Contract Object # :

Handwritten Example and Typed Example boxes for identification numbers.

Mail return and check payable to:
FLORIDA DEPARTMENT OF REVENUE
5050 W TENNESSEE ST
TALLAHASSEE FL 32399-0100

The Florida Legislature has provided that all leasehold estates, or any possessory interest created thereby, in property of the United States, the State of Florida, or any of its political subdivisions, municipalities, agencies, authorities, or other governmental units, are to be taxed as intangible personal property if the leased property is undeveloped or predominately used for a residential or commercial purpose, and rental payments are due in consideration of the leasehold estate or possessory interest.

If the calculated tax due is less than sixty dollars (\$60), no payment is required. However, the taxpayer should file this return without payment to avoid possible future contact regarding this filing period.

Our records are computerized and all information is maintained by account number. Your account number is your Social Security Number (SSN) or Federal Employer Identification Number (FEIN). Please refer to these numbers in all correspondence. Show your correct number on your return. Social security numbers are used by the Florida Department of Revenue as unique identifiers for the administration of Florida's taxes.

HOW TO COMPUTE THE TAX

- Line 1 Annual Rental Payment
Line 2 Valuation Factor
Line 3 Taxable Amount
Line 4 Tax Due
Line 5 Discount
Line 6 Penalty and Interest
Line 7 Total Payment Due
Line 8 Less Amount Paid with Extension
Line 9 Payment Due

DO NOT DETACH COUPON

Governmental Leasehold Intangible Personal Property Tax Return

HD/PM Date:

US DOLLARS DR-601G R. 01/09

FEIN and SSN (if no FEIN) input fields

DR-601G

Name
Address
City/St/ZIP

I hereby certify that this return has been examined by me and to the best of my knowledge is a true and correct return.

Signature of taxpayer, Date, Title, Phone number fields

Table with 9 rows (Annual Rental Payment to Payment Due) and 10 columns for dollar amounts.

9100 0 20090131 0018015031 7 999999999 0000 0



Taxpayer Name: _____

Telephone Number: (_____) _____
Area Code

County Property Identification Number: _____

FEIN _____

County Where Property Located: _____

SSN (if no FEIN): _____

Schedule A

Factors for valuation of each leasehold estate. Complete this supplemental schedule and mail with your return.

1. a. Name the governmental unit owning the property. _____
 b. To what governmental agency is the consideration or "rent" paid? _____
 c. Physical location of governmental property occupied (street, city, ZIP). _____
2. What is the legal description of the property? _____
3. a. Describe the property occupied. _____
 b. Describe the improvements belonging to the governmental unit. _____
4. a. Have you made improvements to this property? () yes () no
 b. Describe those improvements. _____
 c. Do your improvements become the property of the governmental unit owning the location? () yes () no
5. a. Describe your use of this property or the type of activity conducted at this location, and the number of years you have been at this location. _____
 b. How long do you intend to occupy the property? _____
6. a. Is there a written agreement between you and the governmental unit owning the property? () yes () no
 b. Is this agreement recorded in the official records of the county? () yes () no
 c. If so, what is the official record book and page number where recorded? _____
7. a. What is the term of your lease (in years)? _____
 b. How many years remaining as of January 1 of this tax year? _____
8. What is the amount actually paid for the privilege of using this property? _____
9. What is the basis for determining the amount of the rent stated in your lease agreement? _____
10. Is this consideration or "rent" paid weekly, monthly, yearly, or other? _____
11. Does the rent include payments for improvements? () yes () no
12. a. Do you file a tangible personal property tax return with the county property appraiser? () yes () no
 b. What county(ies)? _____
13. What is your estimate of the value of improvements you have made to this property? \$ _____
14. a. Does the governmental entity that owns the property share in the profit as a form of rent? () yes () no
 b. If so, what is the basis or formula used to determine the percentage or amount payable to the governmental unit? _____

Location address (if different than mailing address):

Street Address _____

City _____ State _____ ZIP _____ County _____

Telephone Number: (_____) _____

Indicate changes to mailing address below:

Name _____

Street Address _____

City _____ State _____ ZIP _____ County _____

Telephone Number: (_____) _____

Instructions

GENERAL INFORMATION

Florida law classifies a lessee's interest in property leased from a governmental unit as intangible property, where the lessee makes rental payments in consideration of the leasehold estate or possessory interest, whether the leased property is undeveloped or is used for a residential or a commercial purpose.

Nominal or token payments, such as \$1 or \$10 per year, are not considered rental payments for determining the taxation of the lessee's estate as intangible property.

A leasehold interest created by an original lease for 100 years or more, regardless of renewal options, is considered as creating an ownership right in the leased property and the property will not be classified as intangible property. Property financed, acquired or maintained using funds resulting from the issuance of bonds by Florida industrial development authorities or research and development authorities under Parts II, III, or V of Chapter 159, Florida Statutes, is considered to be owned and the lessee's interest is not classified as intangible property.

A lessee of governmental property will be exempt from annual intangible tax, provided the lease contract requires that the lessee provide space on the leasehold estate for use by a governmental entity. The provision applies retroactively, but does not open any closed period for refund.

Lessees leasing property **classified as agricultural land or land used exclusively for noncommercial public recreational purposes**, or leasing property used for a public purpose or function, and lessees qualified as an organization which uses the property for literary, scientific, religious or charitable purposes, are not subject to intangible tax on their leasehold interest.

If no rental payments are due under the agreement creating a leasehold estate, the leasehold estate is taxed as real property, not as intangible property. Personal property, buildings or other real property improvements owned by a lessee are assessed under Ad Valorem tax provisions, not as intangible property.

Taxpayers with more than one lease MUST FILE a separate return for each location.

WHO MUST FILE

Every lessee of governmental property used for a residential or commercial purpose, or that is undeveloped, is subject to the intangible tax each year on the value of the leasehold estate on January 1 of each tax year, if rental payments are due in consideration for the leasehold estate.

If the 1/2 mill (\$.50 per \$1000 value) annual tax levy on the value of the leasehold estate results in a tax of sixty dollars (\$60) or more, the lessee is required to file this return (Form DR-601G) and pay the tax.

If the tax due is less than sixty dollars (\$60), the taxpayer should file this return without payment of the tax to avoid unnecessary contact by the Department of Revenue.

Taxpayers are not entitled to the exemption for the governmental leasehold intangible personal property tax.

FILING DATE

The Governmental Leasehold Intangible Personal Property Tax Return (Form DR-601G) covering the leasehold estate is due January 1 and late after June 30. Returns not filed and taxes not paid by this date are delinquent. The date of postmark or date delivered to the Department is considered the date of payment.

A discount may be claimed for early filing provided payment is postmarked on or before the last day of the month of one of the following filing periods:

Discount Periods	Discount	If Submitted or Postmarked on or before
January - February	4%	Saturday, February 28, 2009
March	3%	Tuesday, March 31, 2009
April	2%	Thursday, April 30, 2009
May	1%	Sunday, May 31, 2009
June	0%	No Discount Available

Example: \$64.33 (tax) X .04 (January discount) = \$ 2.57 (discount allowed)

EXTENSION OF TIME

A request for an extension of time for filing may be submitted for review. Form DR-602 must be received by the Department on or before June 30 of the tax year.

PENALTY

The return, with full payment of tax, must be postmarked **no later than** June 30 of the applicable tax year to avoid penalty. If June 30 falls on a Saturday, Sunday, or a legal state or federal holiday and the return is postmarked or delivered to the Department on the next workday, it is considered timely.

Delinquency penalty is assessed on tax not paid by June 30. The penalty rate is 10% per month or portion of a month, not to exceed a maximum of 50% of the tax due.

Specific late filing penalty is assessed on tax returns postmarked after June 30. The penalty rate is 10% per month or portion of a month until the return is filed, not to exceed a maximum of 50% of the tax due.

The combined total of the delinquency penalty and specific late filing penalty will not exceed 10% per month or portion of a month, not to exceed a maximum of 50% of the tax due.

INTEREST

Interest is due on the amount of tax not paid by June 30. A floating rate of interest applies to underpayments and late payments of tax. The rate will be updated January 1 and July 1 of each year by using the formula established in s. 213.235, F.S. To obtain interest rates, contact the Department.

OVERPAYMENTS OF TAX

If you have overpaid your tax and want a refund of the overpayment, you must submit an Application for Refund (Form DR-26). The Department cannot process your refund claim without this form. Filing an amended return does not qualify as a claim for refund.

If you have any questions, please call the Refund Subprocess at 850-488-8937 or write to: Florida Department of Revenue, Refund Subprocess, P.O. Box 6470, Tallahassee, FL 32314-6470.

**Tax information and forms are available online at: www.myflorida.com/dor
For assistance, call Taxpayer Services, Monday - Friday, 8 a.m. - 7 p.m., ET, at 800-352-3671.
From the option menu, select *Information on Taxes or Forms*.**

OVERPAYMENTS OF TAX (continued)

Taxes paid prior to October 1, 1994, are barred from refund by a three (3) year statute of limitation. For taxes paid on or after October 1, 1994, but before July 1, 1999, the limitation for claiming a refund is extended to five (5) years. For taxes paid on or after July 1, 1999, the limitation for claiming a refund is three (3) years from the date the tax is paid.

AMENDED RETURNS/UNDERPAYMENTS OF TAX

If you discover that intangible property was undervalued on, or omitted from, your tax return, you should file an amended return. The amended return is to be completed in its entirety, as if it was an original filing. Pay only the additional tax due. If the return is postmarked after June 30, you will be subject to penalty and interest. Explain by separate letter, attached to the amended return, whether the property was undervalued or omitted.

VALUATION OF LEASEHOLD ESTATE

The just value of a lessee's leasehold estate or possessory interest to be reported on the return is determined by the rent payments for the remaining term of the lease, at the Federal Reserve - Atlanta - discount rate on the last business day of the previous year, plus one (1) percent.

Nominal or token payments are not used to value the lessee's interest. In such cases, the fair market rental for the leased property is the amount to be valued. If lease rental payments are based on some factor, such as a percentage of sales or profits, the average annual rental actually paid for a period not to exceed the previous five years should be used, provided the amount is not nominal or significantly less than fair market rental. If the average amount is a nominal or token amount, the lease rental payment to be valued shall be the fair market rental for the property. Market rent is the amount which would be paid annually for use of a property in the open market, as indicated by current rentals being paid for comparable property. This should be net rent to the owner or lessor after allowance for taxes, insurance or other expenses specifically itemized as part of the rental payment. Do not deduct any such payments that you as the user make.

The period for which the lease payments should be valued is the number of years remaining under the lease on January 1 of the tax year, exclusive of renewal options. The year in which the lease expires should be considered a full year for the purpose of determining the number of years remaining under the lease agreement. If, on January 1 of the tax year, less than one year remains under the lease agreement, the value is determined as if a full year remained and is then prorated for the number of months remaining under the lease agreement.

Valuation Factor Table - 2009 (1.5%)

YEARS REMAINING	FACTOR	YEARS REMAINING	FACTOR	YEARS REMAINING	FACTOR
1	0.9852	34	26.4817	67	42.0809
2	1.9559	35	27.0756	68	42.4442
3	2.9122	36	27.6607	69	42.8022
4	3.8544	37	28.2371	70	43.1549
5	4.7826	38	28.8051	71	43.5023
6	5.6972	39	29.3646	72	43.8447
7	6.5982	40	29.9158	73	44.1819
8	7.4859	41	30.4590	74	44.5142
9	8.3605	42	30.9941	75	44.8416
10	9.2222	43	31.5212	76	45.1641
11	10.0711	44	32.0406	77	45.4819
12	10.9075	45	32.5523	78	45.7950
13	11.7315	46	33.0565	79	46.1034
14	12.5434	47	33.5532	80	46.4073
15	13.3432	48	34.0426	81	46.7067
16	14.1313	49	34.5247	82	47.0017
17	14.9076	50	34.9997	83	47.2923
18	15.6726	51	35.4677	84	47.5786
19	16.4262	52	35.9287	85	47.8607
20	17.1686	53	36.3830	86	48.1386
21	17.9001	54	36.8305	87	48.4125
22	18.6208	55	37.2715	88	48.6822
23	19.3309	56	37.7059	89	48.9480
24	20.0304	57	38.1339	90	49.2099
25	20.7196	58	38.5555	91	49.4678
26	21.3986	59	38.9710	92	49.7220
27	22.0676	60	39.3803	93	49.9724
28	22.7267	61	39.7835	94	50.2191
29	23.3761	62	40.1808	95	50.4622
30	24.0158	63	40.5722	96	50.7017
31	24.6461	64	40.9579	97	50.9376
32	25.2671	65	41.3378	98	51.1701
33	25.8790	66	41.7121	99	51.3991
				100	51.6247