



General Assembly

February Session, 2000

**Amendment**

LCO No. 4687

Offered by:

SEN. COOK, 18th Dist.

SEN. NICKERSON, 36th Dist.

To: Subst. Senate Bill No. 525

File No. 422

Cal. No. 317

***"An Act Making Changes To Various Sales And Use Tax Statutes And The Admissions And Dues Tax Statutes."***

1 After line 801, insert the following and renumber the remaining  
2 section accordingly:

3 "Sec. 22. Subsection (40) of section 12-412 of the general statutes is  
4 repealed and the following is substituted in lieu thereof:

5 (40) (A) Sales of and the storage, use or other consumption of any  
6 vessel, as defined in section 15-127, used exclusively in commercial  
7 fishing and any machinery or equipment for use on a commercial  
8 fishing vessel, provided in the [calendar] purchaser's taxable year  
9 ending immediately preceding the [date of] taxable year during which  
10 any such sale, storage, use or other consumption occurred, not less  
11 than fifty per cent of the gross income of the purchaser, as reported for  
12 federal income tax purposes, shall have been derived from commercial  
13 fishing, subject to proof satisfactory to the commissioner of revenue  
14 services.

15     (B) (i) Sales of and the storage, use or other consumption of any  
16 vessel used exclusively in commercial fishing and any machinery or  
17 equipment for use on a commercial fishing vessel, where in the  
18 purchaser's taxable year ending immediately preceding the taxable  
19 year during which any such sale, storage, use or other consumption  
20 occurred, less than fifty per cent of gross income of the purchaser, as  
21 reported for federal income tax purposes, shall have been derived from  
22 commercial fishing, provided such purchaser has satisfied the  
23 commissioner that the purchaser intends to carry on commercial  
24 fishing as a trade or business for at least two years after the date of  
25 such purchase.

26     (ii) Such purchaser shall be liable for the tax otherwise imposed,  
27 during the period commencing upon the purchase of such vessel,  
28 machinery or equipment and ending two years after the date of such  
29 purchase, if commercial fishing is not carried on as a trade or business  
30 by such applicant during such entire period.

31     (iii) Such purchaser shall also be liable for the tax otherwise  
32 imposed, during the period commencing upon the purchase of such  
33 vessel, machinery or equipment and ending two years after the date of  
34 such purchase, if less than fifty per cent of the gross income of such  
35 purchaser, as reported for federal income tax purposes, shall have been  
36 derived from commercial fishing for the taxable year immediately  
37 preceding the taxable year during which such two-year period ends or  
38 if, on average, less than fifty per cent of the gross income of such  
39 purchaser, as reported for federal income tax purposes, shall have been  
40 derived from commercial fishing for the two taxable years  
41 immediately preceding the taxable year during which such two-year  
42 period ends.

43     (iv) Any purchaser liable for tax under subparagraph (ii) or (iii) of  
44 this subsection shall not be eligible to make another purchase under  
45 subparagraph (i) of this subparagraph.

46     (C) For purposes of this subsection, commercial fishing vessels shall

47 include any vessel with a certificate of documentation issued by the  
48 United States Coast Guard for coastwise fishery."