



**FUBA**  
FLORIDA UNITED BUSINESSES ASSOCIATION

# ISSUES

OUR BUSINESS IS SMALL BUSINESS

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## **LEGISLATIVE UPDATE**

The 2018 Session of the Florida Legislature began on Tuesday, January 9<sup>th</sup> and will run for 60 days. The Legislature is considering a number of bills that could impact Florida's business community, and a few of these proposals are summarized below. We will provide a complete wrap-up of the Session in the April newsletter.

### **Employment Issues:**

**Senate Bill 66 (Rouson) and House Bill 347 (Diamond)** would prohibit hotels and restaurants from discriminating on the basis of sexual orientation and gender identity.

**Senate Bill 166 (Rodriguez) and House Bill 1441 (Jacquet)** would increase the state minimum wage to \$1 an hour over what the 2018 minimum wage, and \$1.50 additional increase in 2019 and each year after that until 2023.

**Senate Bill 594 (Stewart) and House Bill 393 (Berman)** would prohibit an employer from assigning or directing an employee to a position or career track in which the work performed requires substantially less skill, effort, and responsibility than the work performed by the majority of individuals in the employee's same occupation and labor market area. The bills also prohibit employers from limiting or depriving an employee of a promotion or career

advancement opportunity that would otherwise be available to the employee based on the employee's sex or gender.

### **Taxes:**

**Senate Bill 60 (Hukill) and House Bill 939 (Toledo)** reduce the state sales tax on charged on commercial leases.

**Senate Bill 686 (Perry)** would create a sales tax holiday for clothing, school supplies and personal computers from July 27, 2018 through August 5, 2018. The tax holiday would exempt certain clothing items valued at \$100 or less from state sales tax. The tax holiday would also exempt from sales tax all school supplies valued at \$15 or less and personal computers valued at \$1,000 or less.

**Senate Bill 1228 (Hukill) and House Bill 373 (M. Grant)** would allow businesses to file their Annual Report with the Secretary of State's office every two years instead of yearly.

**Senate Joint Resolution 1742 (Stargel) and House Joint Resolution 7001 (Leek)** would propose an amendment to the State Constitution that would require any new law imposing a new tax or tax increase be approved by a super majority of the Legislature.

### **Regulation:**

**Senate Bill 526 (Brandes) and House Bill 15 (Beshears)** would exempt certain professions from having to be licensed by the

state Department of Business & Professional Regulation, including architecture and interior design, landscape architecture, asbestos abatement consulting/contracting.

**Insurance:**

**House Bill 7009 (Burgess)** would make several changes to the workers' compensation system that are designed to lower the rates businesses pay, including capping attorney's fees for injured workers attorneys to \$150 an hour.

**Contracting:**

**Senate Bill 604 (Steube) and House Bill 89 (Spano)** would provide that when a construction contractor is required to carry liability insurance and property damage insurance, but fails to do so, the contractor is personally liable for any damage that would have been covered by the insurance policy.

**Senate Bill 1144 (Perry) and House Bill 725 (Williamson)** would require local governments to post their building permit and inspection fee schedules on their website.

**ATTENTION CORPORATIONS AND  
LLC'S: REMINDER TO FILE  
YOUR ANNUAL REPORT**

This is another reminder that it is time for all Florida Corporations and Limited Liability Companies (LLC's) to file their Annual Report with the State of Florida. To maintain an "active status" with the Florida Department of State, corporations and LLC's must file an Annual Report with the state Division of Corporations before May 1<sup>st</sup>.

The Annual Report is not a financial statement; its purpose is for you to update or confirm basic information about your company on the Division of Corporations records. You must file an Annual Report even if no changes need to be made to your company's information.

The only reminder that the State of Florida will send you about this is an email to the email address the Division of Corporations has on file for you. The email comes from the Florida Department of State and the subject of the email is "Official 2018 Annual Report Notice for: [your company name]." There is a link in the email that takes you directly to the state's official website at **[sunbiz.org](http://sunbiz.org)**.

Please beware: If you receive an email from "Reminder Department" about your Annual Report, this is from a private company and is not an official communication from the State of Florida!

For more information about how to file your Annual Report, you can email the Florida Division of Corporations at **[corphelp@dos.state.fl.us](mailto:corphelp@dos.state.fl.us)**. Or, you can call our offices at 800-262-4483 and ask for Karen, Lance or Erin. Even though the Annual Report is a requirement from the State of Florida (not us), we will try to answer any questions you may have.

**SALES TAX ON COMMERCIAL RENT  
DECREASES**

In the State of Florida, commercial rent is subject to the state sales tax, plus any county sales surtax. Some examples of commercial rent that are subject to sales tax include commercial office space, retail space, warehouse rentals, and self-storage units. Effective January 1<sup>st</sup>, the state sales tax rate for commercial rent has decreased from 6% to 5.8%, plus the local sales tax rate charged by the county. Rental charges paid on or after January 1, 2018, for rental periods prior to January 1, 2018, are subject to the full 6% state sales tax, plus any local county sales tax rate. Rental payments made on or after January 1, 2018, that entitle the tenant to occupy the property on or after January 1, 2018, should be charged the lower rate of 5.8% plus any local county sales tax.