



FUBA

Florida United Businesses Association

issues

OUR BUSINESS IS SMALL BUSINESS

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LEGISLATIVE UPDATE

The annual session of the Florida Legislature begins on March 4, 2008 and lasts for 60 days. The following proposed bills have been filed for consideration during the Session. We will keep you updated on the Legislature's debates throughout the Session. If you have any questions about these bills, please call the FUBA offices at 800-262-4483 and ask for Karen or Lance.

Health Care:

House Bill 53 (Representative Peterman) and **Senate Bill 1010** (Senator Hill) would require health insurance policies and health maintenance contracts to provide coverage for annual screening for prostate cancer for men of age 40 or older.

House Bill 71 (Representative Hukill) and **Senate Bill 190** (Senator Fasano) would establish pilot programs in Pasco and Volusia counties to provide rebates to small businesses providing comprehensive major medical health insurance coverage for employees.

Unemployment Compensation:

House Bill 291 (Representative Soto) would redefine the term "base period" for purposes of determining eligibility for unemployment compensation benefits. The bill could expand unemployment benefits for those who do not qualify for unemployment under current law.

House Bill 809 (Representative Aubuchon) and **Senate Bill 854** (Senator Fasano) would provide specified circumstances under which a day laborer is deemed to have voluntarily quit employment and

is disqualified for unemployment compensation benefits

Contracting:

House Bill 407 (Representative Chestnut) and **Senate Bill 1466** (Senator Aronberg) would prohibit a certified or registered contractor or a contractor authorized by a local construction licensing board from performing work for which the contractor is not properly licensed, and from subcontracting work requiring a license to an unlicensed person, or from failing to obtain required permits or inspections.

Senate Bill 332 (Senator Saunders) would require that if a direct contract for construction is greater than \$2,500, a notice of commencement must be recorded before a building permit can be issued. The bill would also require that notices of commencement be accepted in electronic format and be in a searchable format on the Internet for public use.

Taxes:

House Bill 161 (Representative Anderson) and **Senate Bill 674** (Senator Fasano) would delete requirements for property appraisers to consider the highest and best use of property in determining just valuation. This elimination of highest and best use would apply to assessments for tax years beginning January 1, 2009 and would provide property tax relief to small businesses currently paying an inflated tax rate.

Miscellaneous Regulation:

House Bill 193 (Representative Legg) and **Senate Bill 504** (Senator Baker) would prohibit a

person younger than 18 years old from using an electronic wireless communications device while operating a motor vehicle.

House Bill 357 (Representative Holder) and **Senate Bill 1266** (Senator Bennett) would prohibit the operation of a motor vehicle while reading, manually writing or typing, or sending a message on an electronic wireless communications device. The bills would not apply to a person operating an emergency vehicle or using the device to report illegal activity, summon medical or other emergency help, or to prevent injury to a person or property.

House Bill 503 (Representative Evers) and **Senate Bill 1130** (Senator Peaden) would create the "Preservation and Protection of the Right to Keep and Bear Arms in Motor Vehicles Act of 2008." The bills would prohibit a private business from prohibiting customers, employees, or invitees from possessing any legally-owned firearm that is lawfully possessed and locked inside a private motor vehicle in parking lot. The bills would prohibit employers from conditioning employment upon agreement by prospective employees that prohibits employees from keeping legal firearm locked inside motor vehicle. The bills also would prohibit employers from terminating or discriminating against employees for exercising these constitutional rights.

Senate Bill 386 (Senator Crist) and **House Bill 437** (Representative Reed) would require the Division of Hotels and Restaurants within the Department of Business and Professional Regulation to inspect toilet facilities of public food service establishments and would provide for minimum sanitation standards for toilet facilities.

Senate Bill 860 (Senator Fasano) would provide for up to 24 hours of leave annually for employees to attend medical appointments or school conferences and would prohibit an employer from taking retaliatory action against an employee for requesting or taking leave. The bill would require public schools to provide three days' written notice

to parents of a school conference and written confirmation of attendance if requested.

Senate Bill 994 (Senator Fasano) and **House Bill 489** (Representative Jenne) would provide specified employee leave benefits to employees who are victims of sexual violence or who have family or household member who is sexual violence victim.

FUBA WORKERS' COMP POLICY RENEWALS

For those FUBA members who receive workers' compensation coverage through our sponsored self-insurance fund (the FCBI fund), please be advised that notices of renewal and non-renewal for the new fund year were issued on February 15th. Your first payment will be due by March 15th, 2008, in order to renew your workers' compensation coverage past April 1, 2008. If you have any questions, please call your insurance agent or the FUBA Workers' Comp offices at 888-262-4483.

VOTERS APPROVE TAX RELIEF FOR SMALL BUSINESSES

On January 29th, Florida voters approved Amendment 1, which deals with property tax issues. The new constitutional amendment has two provisions that should benefit small businesses:

- **Assessment Cap:** Starting with the 2009 tax roll, business properties will have a 10 percent cap on their tax assessments, except for school taxes. This means property taxes cannot increase more than 10% each year.
- **Tangible Personal Property Exemption:** Effective January 1, 2008, Florida businesses will pay no tax on the first \$25,000 of their tangible personal property. The tangible personal property tax is assessed on all business property, including office furniture, computers, machinery and equipment. Please watch future newsletters for more details.