



# i s s u e s

## OUR BUSINESS IS SMALL BUSINESS

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### **LEGISLATIVE UPDATE**

Here is a summary of new laws of interest to small businesses that take effect July 1, 2014:

**Unemployment Compensation:** Employers are now able to pay their unemployment tax in installments for a \$5 fee. This option has been available temporarily; now it is a permanent option.

**Telephone Solicitations:** Telemarketers are now prevented from sending text messages to phone numbers that are registered on the state's Do Not Call List. (Phone calls are already prohibited.) Florida's Do Not Call list is maintained by the state Department of Agriculture and Consumer Services. To block unwanted sales calls and text messages to your residence or mobile phone, go to the state's website at <https://www.flidnc.com/>. It is free to sign up, and registration lasts 5 years.

**Taxes:** Starting August 1st and running through August 3rd, certain back-to-school items will be exempt from the Florida sales tax. Tax-free items include:

- Clothes and shoes that are \$100 or less.
- Wallets, purses, backpacks and diaper bags that are \$100 or less.
- School supplies like pens, pencils, paper, lunch boxes, scissors, etc., that are \$15 or less.
- The first \$750 of personal computers and related accessories that will be used personally (i.e., not for business purposes).

**Construction:** The Florida Concrete Masonry Education Council has been established to educate and train skilled masons, laborers and apprentices. The new law allows the concrete industry to create a voluntary self-assessment on each concrete block to boost masonry training.

**Workers' Compensation:** Businesses that receive a stop work order for not having workers' compensation insurance will be able to resume operations quicker. These businesses will now be able to pay a \$1,000 down payment on their fine and enter a payment plan to receive a release from a stop work order from the Department of Financial Services (DFS). Businesses will also have 10 days, not five, to respond to DFS requests for records before being subject to a stop work order.

### **LICENSE FEE REDUCTION FOR CONTRACTORS LICENSED BY THE STATE CONSTRUCTION INDUSTRY LICENSING BOARD**

The Construction Industry Licensing Board and the Florida Department of Business and Professional Regulation have approved a \$100 "fee holiday" for the 2014 and 2015 renewal cycles for certified and registered contractors who are renewing their licenses. During the fee holiday, certified and registered contractors renewing an active license will have their fees reduced by \$100. Certified and registered contractors renewing their inactive licenses will have their \$50 inactive renewal fee waived in its entirety. All contractors (active or inactive) will still be required to pay the \$5 unlicensed activity fee and the \$4 Florida Building Commission fee in order to renew their license. All fees must be paid by the renewal deadline (August 31, 2014 for certified contractors and August 31, 2015 for registered contractors) to avoid additional fees.

Please see article below for more information on the difference between certified and registered contractors. Also, please note that the tax holiday for license renewal discussed below only applies to those contractors licensed by the Construction Industry Licensing Board and does not apply to electrical contractors.

### **CONTRACTORS: STATE LICENSES HAVE TO BE RENEWED BY AUGUST 31<sup>ST</sup>**

If you hold one of the following state contracting licenses, your license expires on August 31<sup>st</sup> of every even-numbered year:

- State-Certified building contractor
- State-Certified electrical or alarm contractor
- State-Registered electrical or alarm contractor

You have until August 31, 2014, to complete your required continuing education and pay the fee to keep your license active.

More information for each type of license is below.

#### **Building Contractors:**

- A **building contractor** performing the following types of construction

- work must hold a state contractor's license from the Florida Department of Business & Professional Regulation's Construction Industry Licensing Board: general contracting; building; residential contracting; sheet metal; roofing; air-conditioning; mechanical; swimming pool/spa; plumbing; underground utility and excavation; solar; pollutant storage.
- Every state-licensed building contractor performing any of the above type of work falls into 1 of 2 categories: **certified** contractors (who can work anywhere in the state of Florida) or **registered** contractors (who can only work in those local cities or counties where they hold a license).
  - **Certified** building contractors have taken and passed a state licensing exam. Because these contractors have proven their expertise through an exam, they are allowed to perform work under their license anywhere in the state of Florida.
  - **Certified** building contractors must renew their license prior to August 31<sup>st</sup> of each even year. Prior to renewing the license, you are required by law to take 14 hours of Board-approved continuing education.
  - The fee to renew a Certified building contractor's license is \$209.
  - **Registered** building contractors are those contractors who have a local contractor's license issued by their city or county and who must "register" their local license with the state before they are cleared to perform work. They may only perform work under their license in the cities or counties where they hold a local license; they may not work statewide. Registered building contractors' licenses expire August 31<sup>st</sup> of odd-numbered years, so you have until August of next year to renew your license. **If you are a Registered building contractor, this article does not apply to you.**
  - Some construction work does not require a state license, such as cabinets, countertops, flooring, paint, wallpaper and window treatments. If you perform this kind of work, you may need a local contracting license from your city or county, but a state license is not required. **If you do not hold a state contractor's license, you are not subject to state licensure and this article does not apply to you.**

### **Electrical and Alarm Contractors:**

- An **electrical contractor** is someone who installs, repairs, alters, adds to or designs electrical wiring, fixtures or appliances which generate, transmit or use energy.
- An **alarm contractor** lays out, fabricates, installs, maintains, repairs, monitors, inspects, replaces or services any electrical device or signaling device used to detect a burglary, fire, robbery or medical emergency.
- Every licensed electrical or alarm contractor falls into 1 of these 2 categories: **certified** contractors (who can work anywhere in the state of Florida) or **registered** contractors (who can only work in those local cities or counties where they hold a license).
- **Certified** electrical or alarm contractors have taken and passed a state licensing exam and hold a state license issued by the Florida Department of Business & Professional Regulation. Because these contractors have proven their expertise through an exam, they are allowed to perform work under their license anywhere in the state of Florida.
- **Registered** electrical or alarm contractors hold a local electrical or alarm contractor's license that has been issued by a city or county (not the state of Florida). Registered electrical or alarm contractors (also called "locally-licensed") may only perform work under their license in the cities or counties where they hold a local license; they may not work statewide. These locally-licensed contractors are required to register their local license with the state Department of Business & Professional Regulation before they are cleared to perform work.
- Both Certified and Registered electrical and alarm contractors must renew their license prior to August 31<sup>st</sup> of each even year. You cannot renew your license until you have completed 14 hours of Board-approved continuing education requirements.
- The fee to renew a Certified electrical or alarm contractor's license is \$300.
- The fee to renew a Registered electrical or alarm contractor's license is \$125.

To renew any of the state-issued licenses discussed above, visit DBPR's website at **[myfloridalicense.com](http://myfloridalicense.com)** and click on "Renew Your License." If you have any questions about renewing your license, please contact the Florida Department of Business and Professional Regulation at 850-487-1395.