



FUBA issues

Florida United Businesses Association

OUR BUSINESS IS SMALL BUSINESS

JUNE 2012

Volume XXII, No. 6

NEW ON-LINE SYSTEM FOR WORKERS' COMPENSATION EXEMPTIONS

Starting July 1, 2012, the process to apply for an exemption from workers' compensation insurance will be completely on-line via the Division of Workers' Compensation's website. This will apply to the renewal of an existing exemption, too.

There will be several changes with the new on-line process:

- Exemption applications will no longer have to be notarized.
- Applicants will no longer have to submit copies of stock certificates or other documentation showing that they own 10% of their company. Instead, they will be allowed to provide their percentage of ownership via the on-line application.
- Applicants will now be required to provide their Florida driver's license number or Florida identification card number, as well as their date of birth.

In Florida, certain business owners can elect to exempt themselves from workers' compensation insurance coverage by filing an application with the Division of Workers' Compensation. For businesses in the construction industry, 3 individuals owning at least 10% each of a corporation or Limited Liability Company (LLC) can be exempt at any one time. For all other industries, only corporate officers can exempt themselves; at this time, owners of non-construction LLC's do not have the ability to apply for an exemption. Exemptions issued to individuals in the construction industry cost \$50 and have to be renewed every 2 years. At this time, non-construction exemptions are free and do not expire.

Two more important changes to the exemption process will take place in the coming year:

- All exemptions (both construction and non-construction) issued beginning January 1, 2013, will have to be renewed every 2 years to remain valid (right now, only construction exemptions have to be renewed every 2 years).

- Beginning July 2013, members of non-construction LLC's will be allowed to apply for exemptions from workers' comp.

The new, on-line exemption form will be available by July 1st at the Division's website at myfloridacfo.com/wc. Click on the "Apply for an Exemption" icon. If you have any questions about the exemption process or who needs to be covered under workers' comp, please call the FUBA offices at 800-262-4483 and ask for Karen or Lance.

SALES TAX HOLIDAY IS AUGUST 3rd – AUGUST 5th

If your business sells clothing, footwear, accessories, or school supplies in Florida, you need to know about the upcoming Sales Tax Holiday. For 3 days in early August, these items will not be subject to state sales tax if they meet certain price restrictions.

Here are some details about the 2012 tax-free shopping days:

- The sales tax holiday is earlier this year: it begins at 12:01 a.m. on Friday, August 3rd and runs through midnight on Sunday, August 5th.
- Tax-free items are clothing and footwear selling for \$75 or less, and school supplies selling for \$15 or less.
- The sales tax exemption applies no matter how many tax-free items a customer buys. There is no limit to the amount of items that can be purchased tax-free.
- Books are not included in the sales tax holiday.
- To be tax-free, clothes and shoes must sell for \$75 or less.
- To be tax-free, school supplies must sell for \$15 or less each.

Retailers are not required to keep additional or special records for the tax-free days. Simply continue to keep your normal sales tax records. Sales of eligible items that are sold tax-free from August 3rd through the 5th should be reported as exempt sales on your sales tax return for that period. The Florida Department of Revenue has mailed a

detailed Tax Information Publication to all active registered sales tax dealers explaining:

- A detailed list of items that are tax-free and which ones are taxable
- What to do when a product contains both exempt and taxable items
- How to deal with gift certificates
- How to handle exchanges of tax exempt purchases after the tax-free days are over
- How to do refunds during/after the tax-free days
- How to handle coupons, rebates, discounts, rain checks and layaways
- How to handle tax-free sales in Bay County

If you would like a copy of the Department's Taxpayer Information Publication on the sales tax holiday, please visit the FUBA website at www.FUBA.org and click on *Small Business Alert* on the left-hand side. Also on our website is a detailed, alphabetized list of items and whether they will be tax-free or not. This list is an 8 ½" by 11" poster that you can print out and display at your business for reference during the sales tax holiday.

If you have questions about the sales tax holiday, call the Department of Revenue's toll-free Taxpayer Assistance line at 800-352-3671 weekdays between 8 a.m. and 7 p.m. Or, you can visit the Department's website at myflorida.com/dor.

DOES THE STATE OF FLORIDA HAVE MONEY THAT BELONGS TO YOU?

Some FUBA members have been contacted by a Certified Public Accountant asking for a fee to help them recover money owed to them that has now been turned over to the state (sometimes called "unclaimed property"). Unclaimed property happens when someone writes you a check and you never receive it to cash it, or if you have a dormant bank account that you forgot about. After several years, this money gets turned over to the state, and you have a right to claim your property at any time by going to the website of Florida Chief Financial Officer Jeff Atwater at fltreaurehunt.org. You can search by your name or your business name to see if you are owed any money. Please note: This service is provided free by the state, and you do not need to pay a lawyer or accountant for help claiming your property. Here are some questions and answers provided by the Chief Financial Officer to help you:

I received a letter from the State of Florida, signed by Jeff Atwater, Chief Financial Officer, informing me the state is holding money that belongs to me. A claim form

was also enclosed. Is this letter really from the State of Florida? Yes. The letter from Florida's Chief Financial Officer is an official mailing. To claim your property, you can sign the claim form and return it along with the requested documentation.

I was contacted by a private company informing me that I have unclaimed funds and offering to help claim them for a fee. Is this legal and legitimate? Licensed private investigators, CPAs and attorneys can register with the state to have access to the State's records. They frequently contact account owners or their heirs offering to help recover property for a fee.

Is it necessary to hire one of these firms in order to claim my funds? No. You can claim the money on your own, directly with the state, free of charge. Go to fltreaurehunt.org to search the state's database and print a claim form for any account(s) you believe you are entitled to claim. The unclaimed property program is a free service provided to you by the State of Florida.

Is there a limit on the fees these firms can charge to recover my property? Yes. Fees are limited to 20%, up to a maximum of \$1,000 per account. These limits may be exceeded if the original contract you sign with one of these companies contains a Full Disclosure Statement.

One company informed me that if I did not act quickly, I could lose the right to claim my money. Is this true? No. There is no time limitation on unclaimed property in Florida. Account owners, or their heirs, maintain the right to claim their funds indefinitely.

I received a card from a company that said for \$35 they would tell me how to find unclaimed money. Should I sent them \$35 or provide my credit card information to them? No. You should not pay anyone any amount of money to tell you how to find unclaimed property. After they get your \$35, these companies will usually just refer you to fltreaurehunt.org and/or the websites for other states' unclaimed property programs which are already available for you to search as much and as often as you want free of charge.

How long does it take to get my money? The State has up to 90 days from the date it receives your complete claim package to make a determination. The period may be extended if all of the required documentation is not included with the original claim package. Please read your claim form carefully to ensure you provide all of the necessary documentation.