



FUBA issues

Florida United Businesses Association

OUR BUSINESS IS SMALL BUSINESS

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CORPORATIONS AND LLC'S: TIME TO FILE YOUR 2013 ANNUAL REPORT

If your business is a corporation (INC) or a limited liability company (LLC), you should have already received an email message from the Florida Department of State, Division of Corporations. In the subject line of the email, it will say "Notice to File 2013 Annual Report for:" and then the name of your business.

This is not junk or spam email. This is your official notice from the State of Florida (and the only one you will get), reminding you to file your 2013 Annual Report with the Division of Corporations.

The Annual Report is used to confirm that the information the state has on file about your business is still accurate and up-to-date. It is also your opportunity to report any changes with your business to the state, like a change in address or adding a corporate officer. **Please note:** You must file your Annual Report with the State of Florida's Division of Corporations; it is not filed with our office.

Annual reports have to be filed online at **www.sunbiz.org** by May 1, 2013. There is a link to this website in the email you should have received from the state Division of Corporations. **All business entities must file their Annual Report with the state by May 1st to maintain an "active" status.** The annual report requirement does not apply to sole proprietors or general partnerships. Payment can be made by credit card, check or sunbiz account.

If you do not file your Annual Report by May 1st, you will be charged a \$400 late fee. This late fee cannot be waived, so please make sure to file this report now.

When you go to **www.sunbiz.org** to file your Annual Report, please make sure there is a banner at the top of the screen that says "Florida Department of State, Division of Corporations." If not, you are not on the official state website and you could be the victim of a scam.

Also, please be very skeptical of mail or emails you may get from companies offering to file your corporate minutes with the State of Florida. A company called Compliance Services has sent out notices called "Annual Minutes Requirement Statement Directors and Shareholders" and wants \$125 to satisfy your annual minutes requirements. These notices are not from the State of Florida, and corporate minutes are not required to be filed with the state.

We will be reminding you about filing your Annual Report in this newsletter every month until the due date of May 1st. If you have any questions about your Annual Report, please call the FUBA offices at 800-262-4483 and ask for Karen, Lance or Erin.

LLC'S: IMPORTANT WORKERS' COMP CHANGES COMING JULY 1ST

If your business is a Limited Liability Company (LLC) that is not involved in the construction industry, you will be affected by an upcoming change in the Florida workers' compensation law. Effective July 1st, the law in Florida will change, and owners of non-construction LLC's will be considered to be employees for workers' comp purposes. This means all non-construction LLC owners (also called "members" or "managing members") have to be covered by a workers' compensation policy or have a valid exemption issued by the Division of Workers' Compensation.

If your non-construction LLC already has a

workers' compensation policy: Starting July 1st, the payroll for all owners/managing members will be included on your workers' comp policy, unless they have already received an exemption. LLC owners who wish to be covered by their workers' compensation policy should let their insurance carrier know they want to be covered and do not need to apply for an exemption. LLC owners who do not want to receive workers' compensation coverage for themselves need to apply for and receive an exemption from the workers' compensation requirements before July 1st.

If your non-construction LLC does not already have a workers' compensation policy: Florida law requires non-construction employers with 4 or more full-time employees to provide coverage for all employees. Starting July 1st, LLC owners will be considered "employees" and will be included in the employee count (right now, they are not counted as employees). An LLC with 3 employees and 2 owners will have 5 total employees on July 1st and will therefore be required to purchase workers' comp coverage. If an LLC owner receives an exemption from workers' comp coverage, he or she will not count towards the employee total. So, in the example above, if the 2 owners apply for and receive exemptions prior to July 1st, the company will remain under the 4-employee threshold for having to purchase workers' comp insurance.

If you are an owner/member/managing member of a non-construction LLC, and you wish to exempt yourself from workers' compensation requirements, you will need to apply for and receive your exemption from the state Division of Workers' Compensation prior to July 1st. **The Division will start accepting exemption applications from non-construction LLC owners starting April 1st**, to allow enough time to process all applications prior to the July 1st deadline.

All exemptions must be applied for on-line at www.myfloridacfo.com/wc. Click on the "Apply for an Exemption" icon. You will need your Florida Drivers' License Number or a Florida Identification Number as well as your Social Security Number, and the FEIN of your LLC. There is no cost to apply for the exemption, but it will

need to be renewed every 2 years (renewal is also free).

If you have any questions about how this law change will affect your business, or about how to apply for an exemption, please call the FUBA offices at 800-262-4483 and ask for Karen or Lance.

PROTECTING PERSONAL INFORMATION: A GUIDE FOR BUSINESSES

Most companies keep sensitive personal information in their files – names, Social Security numbers, credit card or other account data – that identifies customers or employees. This information is necessary to fill orders, meet payroll, and perform other necessary business functions. However, if sensitive information falls into the wrong hands, it can lead to fraud, identity theft, or other bad situations. Given the cost of a security breach – losing your customers' trust and perhaps even defending yourself against a lawsuit – safeguarding personal information is a good idea for all businesses.

Some businesses have the in-house expertise to implement an appropriate plan to keep sensitive data safe. Those who don't will benefit from a brochure published by the Federal Trade Commission (FTC) that explains the 5 key principles of a sound data security plan:

- Take stock – Know what personal information you have in your paper files and on your computer.
- Scale down – Keep only what you need for your business.
- Lock it – Protect the information that you keep.
- Pitch it – Properly dispose of what you no longer need.
- Plan ahead – Create a plan to respond to security incidents.

FUBA has a limited supply of these brochures that we can provide to members at no cost. If you would like one, please email us at fuba@fuba.org and give us your mailing address. Please mention "FTC Brochure" in your email. The FTC also has an interactive tutorial on safeguarding data at their website:

www.business.ftc.gov/privacy-and-security.