

HOUSE OF REPRESENTATIVES STAFF ANALYSIS

BILL #: HB 5301 PCB GOAS 15-01 Florida Business Information Portal

SPONSOR(S): Government Operations Appropriations Subcommittee, Nuñez

TIED BILLS: **IDEN./SIM. BILLS:**

REFERENCE	ACTION	ANALYST	STAFF DIRECTOR or BUDGET/POLICY CHIEF
Orig. Comm.: Government Operations Appropriations Subcommittee	12 Y, 0 N	White	Topp
1) Appropriations Committee	25 Y, 0 N	White	Leznoff

SUMMARY ANALYSIS

The bill directs the Department of Business and Professional Regulation (DBPR) to establish and implement, by June 30, 2017, the Florida Business Information Portal that provides the information needed to start and operate a business in Florida.

Specifically, the Florida Business Information Portal must include:

- A downloadable guide to starting and operating a business in Florida.
- A list of business types and an associated checklist for starting each type of business.
- A mechanism to guide users to the appropriate state licensing, permitting, and registration agencies.
- Information regarding business tax registration and filing.
- Information regarding registering with the Department of State.

The bill provides the state agencies that shall cooperate with the DBPR in the development, implementation, and ongoing content updates of the Florida Business Information Portal include, but are not limited to: Agency for Health Care Administration, Department of Agriculture and Consumer Services, Department of Economic Opportunity, Department of Environmental Protection, Department of Financial Services, Office of Financial Regulation, Office of Insurance Regulation, Department of Health, Department of Highway Safety and Motor Vehicles, Department of the Lottery, Department of Management Services, Department of Revenue, Department of State, and the Fish and Wildlife Conservation Commission.

The bill requires the DBPR to submit a report with recommendations and estimated costs for including local government information in the Florida Business Information Portal to the Governor, President of the Senate, and the Speaker of the House of Representatives by October 1, 2017.

The bill repeals section 215.1995, F.S., which established the One-Stop Business Registration Portal Clearing Trust Fund in the Department of Revenue. The bill terminates the fund.

The bill repeals section 288.109, F.S., which directed the Department of Revenue to establish and implement the One-Stop Business Registration Portal.

The bill conforms to the proposed House of Representatives' 2015-2016 General Appropriations Act (GAA), as the GAA contains an appropriation of \$1,462,887 from the General Revenue Fund and 2.00 full-time equivalent positions to build and implement the Florida Business Information Portal.

The bill has an effective date of July 1, 2015.

FULL ANALYSIS

I. SUBSTANTIVE ANALYSIS

A. EFFECT OF PROPOSED CHANGES:

Background

Currently, an individual desiring to start and operate a business in the State of Florida must interact with several state agencies to register for taxes, request a license or receive certain permits. However, there is no central location where an individual can go to get information on everything needed to start and operate a business in Florida.

Section 288.109, F.S., originally directed the State Technology Office to establish and implement an Internet website for a One-Stop Permitting System, which would allow an applicant to complete and submit application forms for various permits to state agencies and counties by January 1, 2001. However, despite the statutory language, the system was not built and the State Technology Office was later abolished.

Chapter 2012-139, Laws of Florida, substantially reworded section 288.109, F.S., to direct the Department of Revenue by January 1, 2013 to establish and implement the One-Stop Business Registration Portal that, through an Internet website, would provide individuals and businesses with a single point of entry for completing and submitting applications for various licenses, registrations, or permits that must be issued by a state department or agency in order for the applicants to transact business in the state; filing various documents that must be filed with a state department or agency in order for the filers to transact business in the state; and remitting payment for various fees that must be paid to a state department or agency, including but not limited to, application fees, license fees, registration fees, permit fees, and filing fees.

The One-Stop Business Registration Portal project was suspended by the Department of Revenue in March 2014. The Fiscal Year 2014-2015 General Appropriations Act placed the funding for the One-Stop Business Registration Portal in reserve and directed the Department of Revenue to contract for a comprehensive assessment of the project by an independent third party. The results of the assessment were submitted to the Governor, President of the Senate and Speaker of the House of Representatives on November 1, 2014. The Governor's Budget Recommendations for FY 2015-2016 recommended reverting all remaining project funding (\$1.7 million). In addition, the Governor recommended conforming legislation repealing from statute section 288.109, Florida Statutes, which authorized the One-Stop Business Registration Portal. Further, the Governor's recommended conforming legislation that provided for the creation of the Florida Business Information Portal at the Department of Business and Professional Regulation.

Chapter 2012-140, Laws of Florida, created the One-Stop Business Registration Portal Clearing Trust Fund within the Department of Revenue. The trust fund was established for use as a depository for receipts generated through utilization of the One-Stop Business Registration Portal and for subsequent transfer or distribution of such funds to appropriate agencies and accounts. The One-Stop Business Registration Portal never became operational, so no funds were deposited into the trust fund.

Effect of Proposed Changes

The bill creates section 20.166, F.S., as the Florida Business Information Portal.

The bill establishes the Florida Business Information Portal (Portal) within the Department of Business and Professional Regulation (DBPR). By June 30, 2017, the DBPR shall implement the Portal that provides the information needed to start and operate a business in Florida, including information on licenses, permits, or registrations that must be issued by state agencies.

The bill requires the Portal to include, but not be limited to:

- A downloadable guide to starting and operating a business in Florida.

- A list of businesses and an associated checklist for starting each new type of business.
- A mechanism to guide users to the appropriate state licensing, permitting, and registration agencies.
- Information regarding business tax registration and filing.
- Information regarding registering with the Department of State.

The bill provides the state agencies that shall cooperate with DBPR in the development, implementation, and ongoing content updates of the Portal include, but are not limited to:

- The Agency for Health Care Administration.
- The Department of Agriculture and Consumer Services.
- The Department of Economic Opportunity.
- The Department of Environmental Protection.
- The Department of Financial Services.
- The Office of Financial Regulation.
- The Office of Insurance Regulation.
- The Department of Health.
- The Department of Highway Safety and Motor Vehicles.
- The Department of the Lottery.
- The Department of Management Services.
- The Department of Revenue.
- The Department of State.
- The Fish and Wildlife Conservation Commission.

The bill directs the DBPR to submit a report with recommendations and estimated costs for including local government information in the Portal to the Governor, the President of the Senate, and the Speaker of the House of Representatives by October 1, 2017.

The bill repeals s. 215.1995, F.S., and terminates the One-Stop Business Registration Portal Clearing Trust Fund within the Department of Revenue and directs the Chief Financial Officer to remove the fund from the various state accounting systems.

The bill repeals s. 288.109, F.S., which directed the Department of Revenue to establish and implement the One-Stop Business Registration Portal.

B. SECTION DIRECTORY:

Section 1. Creates section 20.166, F.S., which establishes the Florida Business Information Portal within the Department of Business and Professional Registration and provides the minimum information to be included in the Portal.

Section 2. Repeals sections 215.1995 and 288.109, F.S.

Section 3. Terminates the One-Stop Business Registration Portal Clearing Trust Fund within the Department of Revenue.

Section 4. Provides an effective date of July 1, 2015.

II. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT

A. FISCAL IMPACT ON STATE GOVERNMENT:

1. Revenues:
None.

2. Expenditures:

The bill conforms to the proposed House of Representatives' 2015-2016 General Appropriations Act, as it contains an appropriation of \$1,462,887 (\$750,571 recurring and \$712,316 nonrecurring) from the General Revenue Fund to build and implement the Florida Business Information Portal. Two full-time equivalent positions with salary rate of 144,000 are also provided.

B. FISCAL IMPACT ON LOCAL GOVERNMENTS:

1. Revenues:
None.

2. Expenditures:
None.

C. DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR:

Individuals and new businesses starting and operating a business in Florida should receive a positive impact as a result of the passage of this bill and the implementation of the Florida Business Information Portal.

D. FISCAL COMMENTS:

None.

III. COMMENTS

A. CONSTITUTIONAL ISSUES:

1. Applicability of Municipality/County Mandates Provision:

Not applicable. The bill does not appear to require counties or municipalities to spend funds or take an action requiring the expenditure of funds; reduce the authority that counties or municipalities have to raise revenues in the aggregate; or reduce the percentage of state tax shared with counties or municipalities.

2. Other:

None.

B. RULE-MAKING AUTHORITY:

None.

C. DRAFTING ISSUES OR OTHER COMMENTS:

None.

IV. AMENDMENTS/ COMMITTEE SUBSTITUTE CHANGES