

# **GUIDE TO STARTING A BUSINESS IN FLORIDA**



# CONTENTS

Introduction	2
Why Florida?	4
Starting Your Business	6
Business Plans	6
Parts of the Business Plan	7
Business Location	8
Location – Things to Consider	9
Business Financing	10
Business Structure	12
Business Name	14
Taxes	15
Licenses, Permits and Registrations	20
State Business License Requirements	20
Local Government Requirements	22
Federal Business License Requirements	22
Insurance	24
Hiring Employees	27
Contracting With State Government	30
State Assistance for Businesses Owned by Women, Veterans and Minorities	31
Business Assistance Programs	32
Florida Lottery	36
Disaster Preparedness and Recovery	37
Quick Reference Guide for Opening a Business in Florida	38
Appendix A: State Regulatory Agencies	40
Appendix B: Other Resources	46



# INTRODUCTION

This eGuide was prepared as a companion to Florida's Business Information Portal website at [www.OpenMyFloridaBusiness.gov](http://www.OpenMyFloridaBusiness.gov).

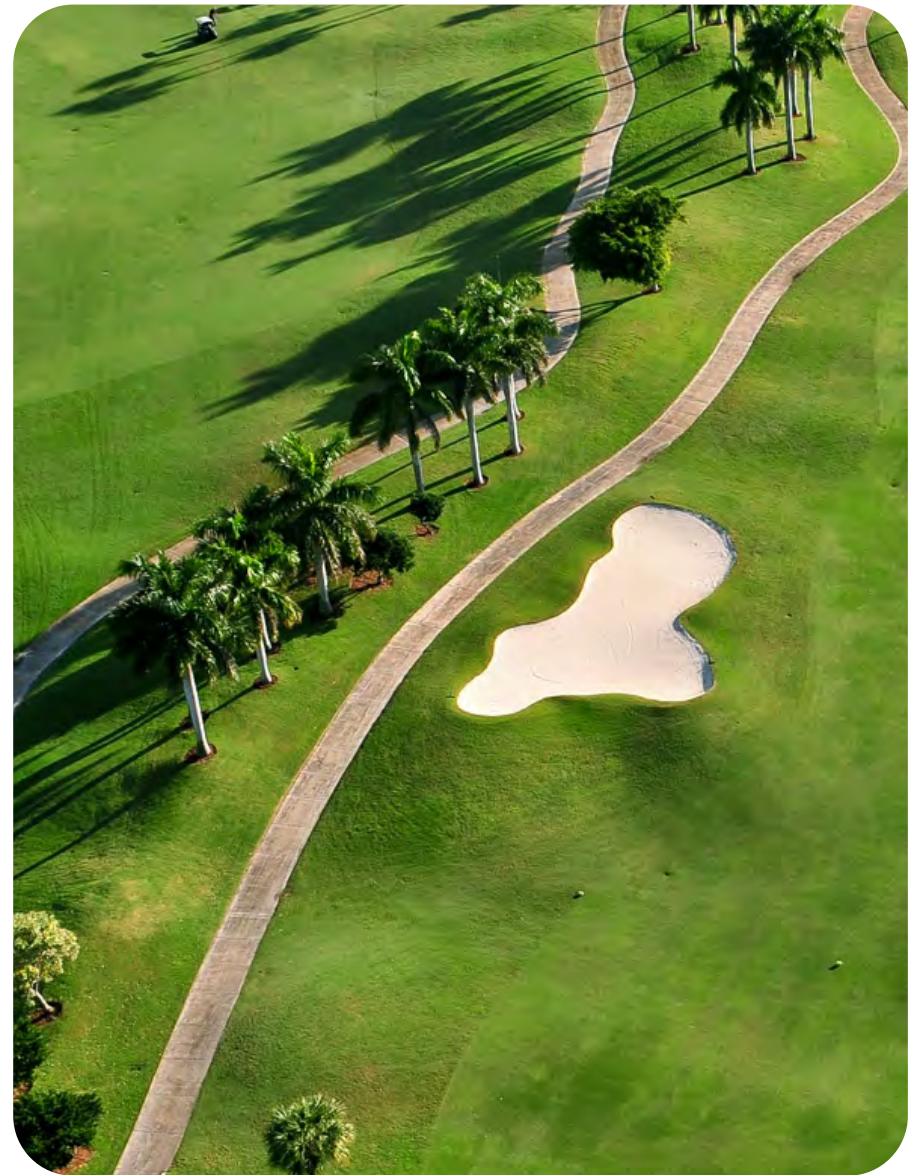
The State of Florida established the portal to help individuals seeking to start and operate a business in our state.

By entering the type of business you wish to start, the portal will create a checklist to help you understand governmental requirements for your business category. The eGuide will provide you the basic tools to open your business in Florida, and provide supplementary resources to the business-specific checklists available on the portal.

The first section of the eGuide includes best practices and general information regarding different aspects of starting and operating a business in Florida. A quick reference guide is also included to walk you through the state requirements that fit most businesses. The last section contains information about state regulatory agencies and provides additional resources for entrepreneurs.

The Department of Business and Professional Regulation worked closely with the following state agencies to develop the Florida Business Information Portal and eGuide:

- Agency for Health Care Administration
- Department of Agriculture and Consumer Services
- Department of Children and Family Services
- Department of Citrus
- Department of Economic Opportunity
- Department of Elder Affairs
- Department of Environmental Protection
- Department of Financial Services
- Department of Health
- Department of Highway Safety and Motor Vehicles
- Department of Management Services
- Department of Revenue
- Department of State
- Division of Emergency Management
- Fish and Wildlife Conservation Commission
- Florida Lottery
- Office of Financial Regulation
- Office of Insurance Regulation
- Small Business Development Center (SBDC) Network



**DISCLAIMER:** While efforts were made to verify that the content of this eGuide is accurate and comprehensive, it is recommended that you consult with a professional (e.g., SBDC, attorney, CPA, etc.) to ensure you meet all requirements before starting your business. The Department is not responsible for the content of websites linked from the eGuide or portal.



## Why start a business in Florida?

Florida is the third largest state in the country, the 19<sup>th</sup> largest economy in the world and offers the following benefits to potential business startups:

### **Business Climate**

Florida is one of the best states for business. The state's government keeps regulatory requirements and business taxes low. Florida does not have personal income, capital gains or death taxes. This is why the Tax Foundation's state business tax climate index rates Florida as the best in the Southeast and within the top five states nationwide since 2011.

### **Tourism**

Florida's vigorous tourism industry helps drive the state's strong economy. Florida is a top spot for visitors, tourists, and vacationers which continues to lead to a steadily increasing number of new businesses and new jobs within the state.

### **Infrastructure**

Florida's roads, rails, airports, seaports, and spaceports support more than 19 million residents and over 105 million and growing tourists each year. Florida is prepared to get your people, your products and your ideas to the world – fast.

## Trade

Gain access to foreign markets by taking advantage of Florida's strategic, global location and international trade expertise. Florida hosts headquarters, warehousing, distribution and manufacturing facilities for many international companies. Florida ranks sixth in the nation for employment by majority foreign-owned firms.

## Industry

Few states can compete with the number, size and success of Florida's industries. For example, Florida has been the world's premier gateway to space as well as a major tourism destination. Florida is also a strong competitor in life sciences, manufacturing, information technology and cleantech industries.

## Workforce

Find the talent your business needs now in Florida's deep and diverse talent pool of more than 9.7 million. The state's two public universities, six major medical schools and numerous private colleges and universities work closely with the business community to build programs that assist Florida's industries.

## Quality of Life

Achieve work-life balance in the Sunshine State with great weather, recreation and culture – with the affordable cost of living that allows you to enjoy it all. Florida offers an unrivaled coastline of sandy beaches, ocean and gulf shorelines, freshwater lakes and regional parks and recreation. In Florida, you can find year-round watersports, saltwater and freshwater fishing, world-class theme parks and golf courses, professional sporting events, and theaters and concerts – Florida has something for everyone.

To get more information about the benefits of doing business in Florida and access additional resources, please visit Enterprise Florida at [www.enterpriseflorida.com](http://www.enterpriseflorida.com).



A close-up photograph of a woman with a bright smile, wearing a white apron over a dark top. She is holding a white rectangular sign with a green border and the word 'OPEN' in large, bold, green letters. The background is slightly blurred, showing warm, golden light, possibly from a restaurant or cafe.

# STARTING YOUR BUSINESS

## Business Plans

Creating a business plan is one of the most important steps to take when starting your business. The plan serves as your road map for the early years of your business. A business plan projects three to five years ahead and outlines the route a company intends to take to reach its yearly milestones, including revenue projections. A detailed plan also helps you to step back, think objectively about the key elements of your business venture and improve your decision-making on a regular basis. If you are looking to secure startup capital or funding, a business plan is a must; most investors will not consider investing in your business without a formal plan that lays out the future potential of your business.

The U. S. Small Business Administration (SBA) provides a free step-by-step Business Plan Tool that can help you build your business plan. After creating an account with a personalized password on the SBA website, you can view all of your business information and save your business plan in electronic format. Using the SBA website, you can update and access your business plan at any time. You can also use your completed business plan to discuss your next steps with a mentor or counselor from an SBA resource partner such as the Service Corps of Retired Executives (SCORE), your local Small Business Development Center (SBDC), or a Women's Business Center (WBC).

To get started with your business plan, please visit <https://www.sba.gov/business-guide/plan-your-business/write-your-business-plan>.

# Parts of the Business Plan

A business plan may include some of the following sections:

## Executive Summary

The executive summary is considered to be the most important part of a business plan. It should tell the reader or potential investor about your company, where your company is located, where you plan to take it, how you plan to get there, and why your business will be successful. This section should be interesting, clear, concise and to the point.

## Company Description

A company description provides a high-level review of your business that will help readers and potential investors understand your business model.

## Market Research

An informative section on market research shows that you have researched and developed a solid understanding of your business's industry.

## Product/Service Line

A detailed summary of what your product and service do and how it meets the needs of your customers is important. You should explain the benefits of your product or service, the advantages it has over the competition, and its current development stage (e.g., idea, prototype).

## Marketing and Sales

A description of how your company will focus on its customers through its marketing and sales strategies shows how your business will reach its customers and sell its products.

## Financial Projections

This section is the most important for investors and lenders because it indicates that you built your company on a solid foundation. It also shows how your business will be able to meet its financial obligations while remaining profitable.





# Business Location

Choosing a business location is not an easy decision. Selecting a profitable location for your business is a strategic decision that should be based on the research, projections, and work that you have put into your business plan.

Most businesses choose a location that provides the best possible exposure to customers, but there are additional and less obvious factors that you should consider when selecting your business location.

For more information and to access additional resources, please visit the Small Business Administration's website at <https://www.sba.gov/starting-business/choose-your-business-location-equipment/tips-choosing-your-business-location>.



# Location – Things to Consider

## Brand Image

Is the location consistent with the image you want to maintain?

## Customer Convenience

Is the location convenient for your customers? Is it easily accessible? Does the site have enough parking?

## Competition

Are the businesses around you complementary or competing?

## Local Labor Market

Does the area have potential employees?  
What will their commute be like?

## Plan for Future Growth

If you anticipate further growth, look for a building that has the opportunity for extra space.

## Proximity to Suppliers

Suppliers need to be able to find your business easily as well.

## Safety

Consider the crime rate. Will employees and customers feel safe alone in the building or walking to their vehicles?

## Zoning Regulations

Have you checked to see if your proposed location will work in the designated zone?



# Business Financing

There are numerous ways to finance your small business. Banks generally will not give loans to open a business. However, there are plenty of other options you can consider: rollover for business startups (use of retirement funds), personal loans, credit cards, home equity loans or lines of credit, and loans from friends or family members. While these are the most typical types of personal financing for your business, please consider exploring the other financing opportunities available to you.

In addition to personal financing, here are some of the most common financing options:

## SBA Loans and Microloans

The U.S. Small Business Administration offers many different financial opportunities for starting a small business. Please visit <https://sba.gov/loans-grants> for more information.

Here are some of their resources:

**The 7(a) Loan Program**, the SBA's most popular loan program, is designed to provide working capital for a broad variety of businesses. However, it cannot be used to buy assets.

**The CDC/504 Loan Program** aims to provide financing for major fixed assets such as equipment or real estate.

**The SBA Microloan Program** provides small (up to \$50,000) short-term loans to small businesses through specially designated lenders. Microloans can pay for working capital, inventory or supplies, furniture or fixtures, or machinery or equipment.



## Florida's Microfinance Programs

The Florida Microfinance Act will help provide Entrepreneurs and Small Businesses in Florida access to credit. The act consists of two programs: a Loan Program and a Guarantee Program.

**Loan Program:** The Florida Department of Economic Opportunity (DEO) will competitively award funds to no more than three eligible loan administrators, who will in turn provide a 1:1 match to make short-term microloans of up to \$50,000 to entrepreneurs and small businesses. The borrower(s) must participate in business training and technical assistance provided by the Florida Small Business Development Network.

**Guarantee Program:** Enterprise Florida, Inc., will utilize state funds to guarantee loans made by private lenders to entrepreneurs and small businesses in Florida. Loan guarantees may only be provided on loans between \$50,000 and \$250,000, and a guarantee cannot exceed 50 percent of the total loan amount.

For more information, please visit <https://www.floridajobs.org/business-growth-and-partnerships/for-businesses-and-entrepreneurs/business-resource>.

## Grants

While the federal government typically does not provide grants for starting or expanding a business, certain businesses, particularly those in high tech/research and development fields may qualify for a government small business grant under the Small Business Innovation Research (SBIR) and the Small Business Technology Transfer (STTR) programs. Some business grants are available through state and local programs, nonprofit organizations and other groups. The USA.gov site provides a tool to assist you in seeking out federal and state financial opportunities.

For more information on the USA.gov portal, please visit <https://www.usa.gov/funding-options>.

## Venture Capital

Venture capital is a type of investment that provides financing in exchange for shares or partial ownership of the company. Venture capitalists and firms invest in startup companies that offer the possibility of profit with the risk of no guarantee that the company will make profit in exchange for equity in your company. While venture capital firms tend to have a lot of experienced consultants to help guide a new business, they also tend to take on more active consulting and management roles.

## Angel Investors

Angel investors are typically individuals who provide capital for startups in exchange for higher rates of return on their investment than they might get in the stock, bond or real estate market. They tend to be a good option for many startups because due diligence is usually fast and they typically provide the investment in a lump sum. Like venture capital firms, angel investors may want to take an active role in key business decisions.

## Surety Bonds

A surety bond is a document signed by the contractor and the surety company that assures the project owner they will fulfill the contract. If the contractor defaults, the surety company is required to either find another contractor to complete the project or compensate the project owner for the financial loss. The SBA offers a surety bond program for small business owners and startups.



# Business Structure

Choosing your business structure is one of the most important decisions you will make. The type of business structure you choose will have a direct impact on how much you pay in taxes, the amount of paperwork your business is required to do, the amount of control you have over your business, the amount of personal liability you will face, and your ability to raise money. Florida's Department of State (DOS) can help you file or register your business.

Some common types of business structures include the following:

## **Sole proprietorships**

Sole proprietorships are easy to set up and easy to disband. A sole proprietorship is an unincorporated business owned and run by one individual with no distinction between the business and you, the owner. You are entitled to all profits and are responsible for all your business's debts, losses and liabilities. All business incomes and losses are filed on the owner's individual income tax return.

For basic forms and filing fees, visit <https://dos.myflorida.com/sunbiz/>. For more information on starting a business, please visit <https://dos.myflorida.com/sunbiz/start-business/know-before-starting/>.

## **Partnerships (General and Limited)**

Partnerships are as easy to form as sole proprietorships. In general partnerships, all partners have equal authority to actively manage or control the business unless the partners have a partnership agreement. Unlike general partnerships, limited partnerships require a partnership agreement and have both limited and general partners. Limited partners are more like investors. They have neither the authority to run the company nor do they have total responsibility for the debts of the company. These unincorporated businesses allow two or more people to share liability and provide capital. Each partner reports business income on their own individual federal income tax return. Limited partnerships must register with the Florida Department of State, Division of Corporations.

## **Limited Liability Company**

Limited liability companies, or LLCs, are a hybrid form of business structure that combines elements of partnerships and corporations. In Florida, LLCs combine the pass-through taxation of a partnership or sole proprietorship with the limited liability of a corporation. On the federal level LLCs with more than one member file a partnership return unless they elect to classify as a corporation. LLCs must file with the Florida Department of State, Division of Corporations.

### Corporation (Subchapters C and S)

A corporation is a legal entity that is legally recognized as separate and distinct from its owner and providing limited liability to its owners. Corporations typically have most of the rights that a person has; they can enter into contracts, loan and borrow money, can sue or be sued, hire employees, own assets and pay taxes. Corporations must incorporate with the Florida Department of State, Division of Corporations.

The two types of corporations are the C-Corporation and the S-Corporation. With a C-Corporation, the corporation, rather than the individuals, pays taxes and assumes liabilities. An S-Corporation allows up to 75 shareholders to share income and expenses and to report them on their individual income tax returns.

	ADVANTAGES	DISADVANTAGES
SOLE PROPRIETORSHIP	<ul style="list-style-type: none"> <li>Easy &amp; Inexpensive</li> <li>Complete Control</li> <li>Easy Tax Preparation</li> </ul>	<ul style="list-style-type: none"> <li>Unlimited Personal Liability</li> <li>Hard to Raise Money</li> <li>Heavy Burden of Success/Failure</li> </ul>
PARTNERSHIP	<ul style="list-style-type: none"> <li>Easy &amp; Inexpensive</li> <li>Complete Shared Financial Commitment</li> <li>Complementary Skills</li> <li>Partnership Inducements for Employees</li> </ul>	<ul style="list-style-type: none"> <li>Joint &amp; Individual Liability</li> <li>Disagreements Among Partners</li> <li>Shared Profits</li> </ul>
LIMITED LIABILITY COMPANY (LLC)	<ul style="list-style-type: none"> <li>Limited Liability</li> <li>Less Record Keeping</li> <li>Profit Sharing</li> </ul>	<ul style="list-style-type: none"> <li>Limited Life</li> <li>Self-Employment Taxes</li> </ul>
CORPORATION	<ul style="list-style-type: none"> <li>Limited Liability</li> <li>Ability to Generate Capital</li> <li>Corporate Tax Treatment</li> <li>Attractive to Potential Employees</li> </ul>	<ul style="list-style-type: none"> <li>Time and Money</li> <li>Double Taxing</li> <li>Additional Paperwork</li> </ul>

# Business Name

Once you have decided on your business’s structure, you will need to choose a name for your business. As a sole proprietorship, you can use your real name as your business name, however, if you decide to use another name for your business, you must file for a fictitious “Doing Business As” name. If you would like to see if the business name or fictitious name you have selected has already been registered, please visit <https://dos.myflorida.com/sunbiz/search/>.

For more information regarding fictitious names, please visit the Department of State website at <https://dos.myflorida.com/sunbiz/start-business/efile/fl-fictitious-name-registration/> or register at <https://dos.myflorida.com/sunbiz/forms/>.



# TAXES

## Filing and Paying Taxes

Your business structure (i.e., sole proprietorship, partnership, LLC, or Corporation) determines which income tax return form you must file with the federal government.

### FEDERAL EMPLOYER ID NUMBER

An Employer Identification Number (EIN), also called a Federal Tax Identification Number, identifies a business entity for business tax purposes. You will likely need an EIN to open a business bank account, for identification purposes when applying for state and local licenses, for filing income tax forms and federal payroll/employment tax forms, and for identification purposes when filing electronic returns using the Electronic Federal Tax Filing System (EFTPS).

For more information on obtaining your EIN, please visit [https://www.irs.gov/Businesses/Small-Businesses-&Self-Employed/Apply-for-an-Employer-Identification-Number-\(EIN\)-Online](https://www.irs.gov/Businesses/Small-Businesses-&Self-Employed/Apply-for-an-Employer-Identification-Number-(EIN)-Online).



## FEDERAL TAXES

The Federal government levies several different types of business taxes:

### Income Tax

You must file an income tax return if your net earnings from self-employment exceed a defined threshold. You may still have to file an income tax return if you meet any other filing requirement.

### Self-Employment Tax

Self-Employment Tax (SE Tax) is a Social Security and Medicare tax primarily for individuals who work for themselves. It is similar to the social security and medicare taxes withheld from the pay of most wage earners.

### Employment Tax

if you have employees, you will need to file forms to report employment taxes. Employment taxes include the following items:

- Social Security and Medicare taxes.
- Federal income tax withholding.
- Federal Unemployment (FUTA) Tax.



## Excise Taxes

in addition, there may be excise taxes and federal forms to file if you do any of the following:

- Manufacture or sell certain products.
- Operate certain kinds of businesses.
- Use various kinds of equipment, facilities, or products.
- Receive payment for certain services.

To learn more about these taxes, visit the Internal Revenue Service's (IRS) *Tax Guide For Small Business* at <https://www.irs.gov/Publications/P334/>.

## GENERAL STATE TAXES

The General Tax Administration Program of Florida's Department of Revenue (DOR) administers over 30 taxes and fees, which are used to fund state and local government services for Floridians. When starting a business in the state of Florida, you will have to determine which taxes apply to your business type and activity. For most taxes, you must register with DOR before you begin collecting, reporting or paying state taxes.

### Sales and Use

If you will sell, rent, lease or repair goods, provide certain services, rent or lease short-term lodging or housekeeping accommodations or commercial real property, or purchase and use in your business taxable products which are not taxed when purchased, you must register with DOR before you start your business.

## Reemployment

Reemployment assistance gives partial, temporary income to workers who lose their jobs through no fault of their own and who are able and available to work. Reemployment tax is paid by Florida employers. If your business will employ workers in Florida, you must register with DOR.

## Corporate Income

Most corporations and certain entities that do business, or who are incorporated in Florida, including out-of-state corporations, must file a Florida corporate income tax return, unless the business is exempt.

## OTHER STATE TAXES

DOR administers several other taxes that may apply depending on the type or activities of your business or situation:

### Communications Services

A communications services tax applies to telephone (including mobile), video, direct-to-home satellite, and related communications services. The tax is comprised of two parts: the Florida communications services tax and the local communications services tax. Businesses selling or reselling communications services must register.

### Discretionary Sales Surtax (local option county taxes)

Discretionary sales surtax, also known as local option county sales tax, is a sales tax imposed by most Florida counties. The surtax applies to most transactions subject to sales or use tax. Sales tax dealers must collect discretionary sales surtax and the 6 percent state sales tax from the purchaser at the time of sale. Depending on

the county of the dealer, registration for Discretionary Sales Surtax is included with Sales and Use Tax registration.

## Documentary Stamp

The following are subject to documentary stamp tax:

- Documents that transfer an interest in Florida real property, such as a deed;
- Written obligations to pay money that are signed or delivered in Florida, such as a car loan; and
- Mortgages that secure the obligations, when recorded.

A party involved in five or more taxable transactions in any given month where the tax is being paid directly to the Department must register with DOR.

## Fuels

Anyone who stores fuel in a terminal, transports fuel to or from a Florida destination, imports or exports fuel into or outside of Florida, or sells fuel in Florida is required to obtain a license and file a return. In addition, anyone who imports product by truck or rail, sells product through the loading rack of a terminal, produces biodiesel, or blends fuel outside of a terminal for use is required to remit state and local option taxes. An inspection fee is also due if you sell gasoline or gasoline equivalent products. In order to obtain a license, you must submit a completed Florida Fuel or Pollutants Tax Application, Form DR-156, undergo a background investigation, and pay applicable fees prior to conducting business. A bond is also required if you export fuel or have a tax obligation greater than \$50.00. Additional documentation may be requested prior to the State issuing a fuel license.

### Gross Receipts Tax on Utility Services

A tax applies to the gross receipts from the sale, delivery, or transportation of natural gas, manufactured gas, or electricity to a retail consumer in Florida. Businesses selling, delivering or transporting electricity or natural/manufactured gas (excluding liquefied petroleum gas) must register.

### Insurance Premium

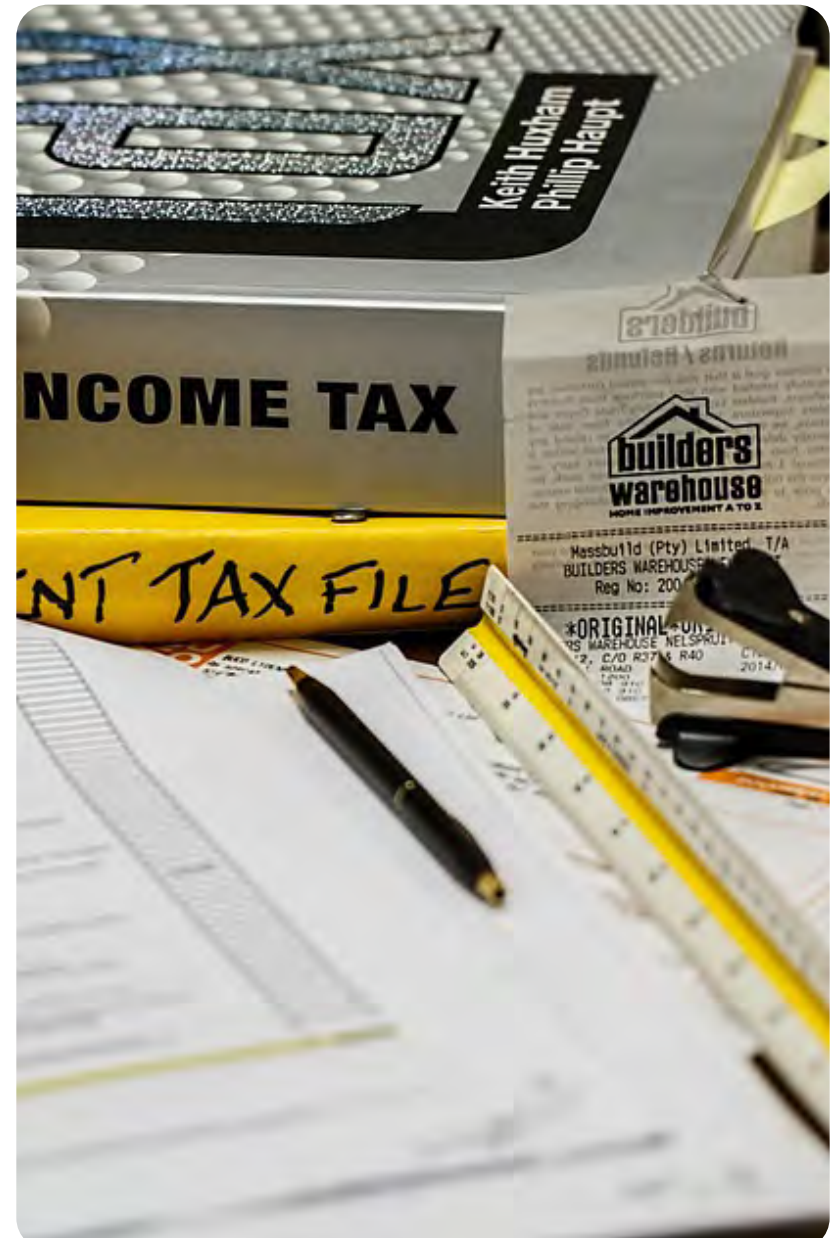
Every authorized domestic, foreign, and alien insurer engaged in the business of entering into contracts of insurance or annuity in Florida must file an insurance premium tax return.

### Motor Vehicle Warranty Fee (“Lemon Law Fee”)

Motor vehicle dealers and other persons in the business of selling or leasing motor vehicles must collect a motor vehicle warranty fee, also called the ‘lemon law’ fee, from the buyer or lessee. The fee is normally remitted to the County Tax Collector. If the vehicle is titled and registered outside of Florida, the fee is remitted to DOR.

### Pollutants

Florida law levies an excise tax on the privilege of producing in, importing into, or causing to be imported into Florida a pollutant for sale or use. “Pollutants” includes any petroleum product, as well as pesticides, ammonia, chlorine, and solvents, including perchloroethylene. The definition does not include liquefied petroleum gas, medicinal oils, and waxes. Pollutants tax on non-petroleum products is imposed on each barrel or barrel equivalent when product is first removed from storage or first sold in Florida. Pollutants tax on petroleum products is imposed on each barrel or barrel equivalent when product is imported by truck or rail, sold through the loading rack of a terminal or blended outside of a terminal. In order to obtain a license, you must submit a completed Florida Fuel or Pollutants Tax Application, Form DR-156, undergo a background investigation, post a bond if you have a tax liability greater than \$50.00, and pay applicable fees. Additional documentation may be requested prior to the state issuing a pollutants license.



## Prepaid Wireless E911 Fee

Retail sellers of prepaid wireless services are required to register and collect the E911 fee on the sale of each prepaid wireless service that allows a caller to connect to and interact with the Enhanced 911 (E911) System.

## Secondhand Dealers and Secondary Metals Recyclers

Most businesses that sell secondhand goods (e.g., household furniture, jewelry, sporting goods, video games, CDs), must register as secondhand dealers and comply with record keeping and holding period requirements.

Businesses that operate in Florida and contract with persons or entities to buy precious metals or jewelry through a website, the U.S. Mail, or telemarketing must register as mail-in secondhand precious metals dealers and comply with record keeping and holding period requirements. Salvage, scrap metal, and recycling center businesses must register as secondary metals recyclers and comply with record keeping and holding period requirements.

## Severance

Anyone who severs oil, gas, sulfur, solid minerals, phosphate rock or heavy minerals must register, file a return, and pay tax to the state of Florida. In addition, anyone who extracts lime rock or sand from the Miami-Dade County Lake Belt area and township must register, file a return, and pay Lake Belt Mitigation and Water Treatment Plant Upgrade Fees. In order to obtain a license, you must register with DOR.

## Solid Waste Taxes and Fees

Businesses selling new tires, new or remanufactured batteries, renting or leasing motor vehicles to others, or selling dry-cleaning services must register to report and pay the applicable fee, surcharge or tax.

## Tourist Development (Transient Rental) Taxes

Counties may impose local option tourist development (i.e., transient rental) taxes. These local taxes apply to rentals, leases, and licenses to use living quarters or sleeping or housekeeping accommodations for six (6) months or less.

In addition to sales tax, applicable tourist development tax must be collected from the purchaser at the time of sale. If the tax is administered by DOR, it must be remitted with sales and use tax and no additional registration is required. If the tax is administered locally by the county, it must be reported to the county and registration with the county is required.

For more information, please visit DOR at [https://floridarevenue.com/Pages/info\\_business.aspx](https://floridarevenue.com/Pages/info_business.aspx).

## COUNTY BUSINESS TAX

In addition to federal and state taxes, you should check with your local county tax collector's office to see what taxes are required for your business. You can find your county's tax collector's website at <https://floridarevenue.com/dor/property/taxcollectors.html>.

## CITY BUSINESS TAX

You should also check with your local city government to determine if any city taxes are required for your business. The Florida League of Cities has provided a municipal directory, which you can use to easily find your city's contact information at <https://www.floridaleagueofcities.com/research-resources/municipal-directory>.

# LICENSES, PERMITS AND REGISTRATIONS



The State of Florida, the federal government, your local county government, and/or your local city or municipality may regulate your business and require specific business licenses.

## **STATE BUSINESS LICENSE REQUIREMENTS**

Many businesses or occupations in Florida require you to have a state-issued license, permit or registration before you can legally open your business. The type and cost of a license or permit varies according to the location of the business and the nature of its services. Operating a business without a required license could lead to fines, closure of your business, or other legal consequences. A list of state agencies and the businesses they regulate can be found in *Appendix A*.

In the Oxford English Dictionary, one of the definitions of the term “business” is “a commercial operation or company.” Alternately, a “profession” is “a paid occupation, especially one that involves prolonged training and a formal qualification.” This distinction becomes important when applying for a state license.

Before starting a business, you should be aware of the following:

### **Business License**

The State of Florida created the Business Information Portal to guide you through the process of understanding which Florida agencies regulate your business. The portal will provide a checklist of the licenses, permits, and registrations necessary to start your business in Florida.

Please visit [www.OpenMyFloridaBusiness.gov](http://www.OpenMyFloridaBusiness.gov) for more information.

### **Professional License (As Requirement for Business License)**

In addition to required business licenses or permits, many business licenses require employment of a professional, licensed individual as a qualification for licensure. For example, to obtain a physician's office license, you must have a state-licensed doctor on staff.

### **Professional License (Without a Business License Requirement)**

Many enterprises in Florida do not require a business license to open, but require a professional license to legally operate. For example, a business license is not required for a home inspection business; however, you must have a state licensed home inspector on staff in order to legally operate. If you find that your business does not require a state-issued business license, please be sure to verify that your business does not require a professionally licensed individual on staff.

### **Certifications, Professional Organizations and Accreditation**

A certification is an official document attesting to a status or level of achievement. Accreditation is a type of certification that attests that a business has met standards set by an external body. Like the previous examples, some business licenses require certification of an employee or accreditation in the particular field as part of the licensure process. Also, while some professions do not require a license to operate legally, the state and many employers require or prefer certification or membership in a professional organization in the relevant business area to operate. As an example, attorneys must pass the bar exam and be admitted to the Florida Bar to be allowed to practice law in this state.

### **No State License Requirement**

Some businesses in Florida may not require a business license or a professional license to open legally and operate. In the event that your business falls into this category, you will likely be required to register your company with the Department of State, get your EIN from the IRS, pay state taxes to the Department of Revenue, and be subject to local taxes and licensing requirements.

### **State Permits Needed After Starting Business**

In addition to requiring a state-issued license to open your business, many state agencies require permits for a business to complete a task or project as part of their day-to-day operations. For example, in addition to their business licenses, elevator companies must apply for permits from the Bureau of Elevator Safety to alter or install elevators in the state of Florida. Such operational permits are not covered under the Florida Business Information Portal, so please make sure to check with the appropriate state agency to secure all necessary permits and make the continued operation of your business a success.

## Hazardous Chemical Reporting

If your business handles hazardous materials that fall under the Tier II reporting requirement under Section 312 of the Emergency Planning and Community Right-to-Know Act of 1986, then you will be required to annually register with Florida Department of Emergency Management's State Emergency Response Commission.

For more information, please visit

<https://www.floridadisaster.org/hazards/hazmat/>.

## LOCAL GOVERNMENT REQUIREMENTS

Please check with your local (county and city/municipal) government to obtain a list of local licenses and permits required to start a business. More information can be obtained from:

The Florida Association of Counties at <http://www.fl-counties.com>,

The Florida League of Cities at <https://www.floridaleagueofcities.com> or

The Florida Small Business Development Center Network at <https://floridasbdc.org/>.

## FEDERAL BUSINESS LICENSE REQUIREMENTS

While most businesses do not require a federal license or permit, some do. Here is a sample list of business activities that require federal oversight:

### Agriculture

If you import or transport animals, animal products, biologics, biotechnology or plants across state lines, you may need to apply for a permit from the U.S. Department of Agriculture (USDA).

### Alcoholic Beverages and Tobacco products

If you manufacture, wholesale, import, or sell alcoholic beverages at a retail location, you may need to register your business and obtain certain federal permits (for tax purposes) with the U.S. Treasury's Alcohol and Tobacco Tax and Trade Bureau (TTB).

### Aviation

If your business involves the operation of aircraft or the transportation of goods or people via air or aircraft maintenance, you may need to apply for a license with the Federal Aviation Administration.

### Commercial Fisheries

If your business is involved with commercial fishing, you may be required to obtain a license for fishing activities from the NOAA Fisheries Service.

### Drug Manufacturing

If your business is involved in drug manufacturing, you may need a license from the U.S. Food and Drug Administration (FDA).

## Firearms, Ammunition, and Explosives

If you manufacture, deal or import firearms, ammunitions or explosives, you may need to apply for one or more licenses with the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF).

## Fish and Wildlife

If your business is engaged in any wildlife-related activity, including the import/export of wildlife and derivative products, you may need to obtain an appropriate permit from the U.S. Fish and Wildlife Service.

## Ground Transportation and Logistics

If you or your business are involved in ground transportation, trucking, or operating an oversized or overweight vehicle, you will be regulated by the U.S. Department of Transportation, which has specific guidelines on maximum weight. The Florida Department of Transportation issues permits for oversized and overweight vehicles.

## Investment Advising

If your business provides investment advising services, you may need a license from the U.S. Securities and Exchange Commission (SEC).

## Maritime Transportation

If you provide ocean transportation or facilitate the shipment of cargo by sea, you may need to apply for a license from the Federal Maritime Commission.

## Mining and Drilling

If your business is involved in drilling for natural gas, oil or other mineral resources on federal lands you may be required to obtain a drilling permit from the Bureau of Ocean Energy Management, Regulation, and Enforcement (formerly the Minerals Management Service).

## Radio and Television Broadcasting

If your business broadcasts information by radio, television, wire, satellite and cable, you may need a license from The Federal Communications Commission (FCC).

For more information, it is recommended that you visit the website hosted by the applicable agency.





# INSURANCE



Finding the best insurance plan or plans to protect your business is one of the many important decisions you will have to make prior to opening or operating your business. To determine your business's insurance needs, you will need to review your property, risks and other business requirements. The following are types of insurance business owners should consider.

## **WORKERS' COMPENSATION INSURANCE**

Florida law requires business owners that have employees to maintain this kind of insurance. Workers' compensation insurance provides medical and wage replacement benefits to employees who are injured on the job. Specific state coverage requirements are based on the type of business, the number of employees, and the business's structure.

Some of the specific workers' compensation insurance industry requirements are:

**Construction Industry** — One or more employees, including the business owner, who are corporate officers or LLC members.

**Non-Construction Industry** — Four or more employees, including the business owners, who are corporate officers or LLC members.

**Agricultural Industry** — Six regular employees and/or twelve seasonal workers who work more than 30 days during a season but not more than a total of 45 days in a calendar year.

More information about worker's compensation insurance can be found at the Florida Department of Financial Services, Division of Workers' Compensation website at <https://www.myfloridacfo.com/division/wc/>.

## COMMERCIAL AUTOMOBILE INSURANCE

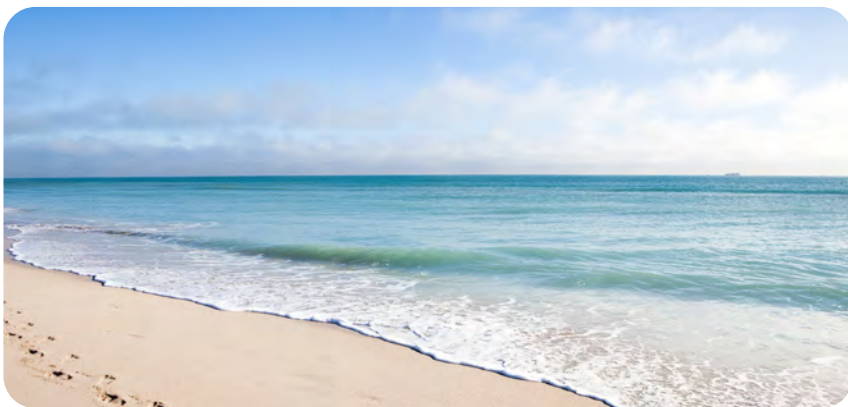
If your business owns, leases or operates motor vehicles, you must have commercial automobile coverage. Commercial automobile coverage is similar to personal automobile coverage. Most policies include coverage for your business's vehicle, as well as liability coverage for any damage caused by an employee while driving your business's vehicle. If you are using your personal vehicle for company business, you should review your policy with your insurance agent since business use may not be covered under the terms of your personal policy.

## COMMERCIAL GENERAL LIABILITY INSURANCE

Commercial general liability insurance pays for your legal defense in many cases and protects your business from financial loss due to injuries, deaths, advertising injury or property damage caused by your products, business operations or employees.

## PROFESSIONAL LIABILITY INSURANCE

Professional liability insurance pays claims arising from wrongful practice by physicians, attorneys, or other professionals.



## PROPERTY INSURANCE

Property insurance offers coverage for real or personal property as well as physical assets lost or damaged by a covered peril. There are three main types of property insurance:

**Named Peril** Provides coverage for losses caused by specific events, such as fire, smoke and explosions.

**Comprehensive Coverage** – Provides broad coverage for all perils except those specifically listed in your policy.

**Windstorm Insurance** – Provides coverage for losses caused by windstorms and hail. Hurricanes and tornadoes are types of windstorms covered by windstorm insurance.

## FLOOD INSURANCE

Flood insurance covers business losses for damage to your business's property caused by floods. Flooding is a serious risk in Florida due to the state's geography and proximity to water, both inland and on the coast. Insurance to cover this risk is typically purchased separately. A vast majority of flood insurance coverage is federally regulated and provided through the National Flood Insurance Program (NFIP), which is administered through the Federal Emergency Management Agency (FEMA).

For more information, please visit <https://www.fema.gov/national-flood-insurance-program>.

## **BUSINESS INCOME INSURANCE**

Business income insurance (sometimes called business interruption insurance) provides coverage if your business suffers a loss of income due to a natural disaster. This type of insurance typically reimburses the business owner for lost earnings, rent, salaries, net profits, interim operating expenses and property loss when covered events cause a suspension of normal business operations.

## **BUSINESS LIFE INSURANCE**

Business life insurance protects a business or the family of a business owner from financial loss resulting from the death of someone associated with the business.

## **CARGO AND TRANSPORTATION INSURANCE**

Cargo and transportation insurance covers your company's goods or products while they are in transit by ship, truck, railroad, airplane, etc.

## **DATA BREACH INSURANCE**

Computer security is essential to businesses dealing with sensitive or confidential data. Lawsuits resulting from data breaches can be extremely expensive for technology companies, as well as other businesses that keep personal information about their customers or employees. Data breach insurance (also called cyber liability insurance) can help reimburse businesses in cases involving information security attacks or leaks.

For more information regarding insurance options in Florida, please visit the Florida Office of Insurance Regulation's website at <https://www.floir.com>.





# HIRING EMPLOYEES

If your business is booming, but you are struggling to keep up, perhaps it is time to hire some help. The steps below can help you start the hiring process and verify you are compliant with key federal and state regulations.

## **OBTAIN AN EMPLOYER IDENTIFICATION NUMBER (EIN)**

Before hiring your first employee, you need to get an employment identification number (EIN) from the U.S. Internal Revenue Service (IRS). Your EIN is required for reporting taxes to the IRS as well as reporting employee information to state agencies. The EIN is covered in more detail in the previous section on taxes.

## **SET UP RECORDS FOR WITHHOLDING TAXES**

According to the IRS, you must keep records of employment taxes for at least four years. Keeping good records can also help you monitor the progress of your business, prepare financial statements, identify sources of receipts, keep track of deductible expenses, prepare your tax returns and support items reported on tax returns.

Below are some vital considerations for your business if you have employees:

**Federal Income Tax Withholding** – Every employee must provide an employer with a signed withholding exemption certificate, Form W-4, on or before the date of employment. The employer must then submit Form W-4 to the IRS.

**Federal Wage and Tax Statement** – Every year, employers must report to the federal government wages paid and taxes withheld for each employee by filing Form W-2, wage and tax statement. Employers must complete a W-2 form for each employee to whom they pay a salary, wage or other compensation.

**Social Security Reporting** – Employers must send Copy A of W-2 forms to the Social Security Administration by the last day of February to report wages and taxes of your employees for the previous calendar year. In addition, employers should send copies of W-2 forms to their employees by January 31 of the year following the reporting period.

### **EMPLOYEE ELIGIBILITY VERIFICATION**

Federal law requires employers to verify an employee's eligibility to work in the United States. Employers verify the employment eligibility of newly hired employees by registering at the E-Verify website sponsored by the U.S. Citizenship and Immigration Services. To access this resource, please visit <https://www.e-verify.gov/>.

### **REGISTER WITH FLORIDA'S NEW HIRE REPORTING PROGRAM**

All employers are required to report newly hired, re-hired or temporary employees to the Florida Department of Revenue (DOR) within 20 days of their hire or rehire date.

Visit the DOR New Hire Reporting Center at <https://servicesforemployers.floridarevenue.com/Pages/home.aspx> for more information.



## OBTAIN WORKERS' COMPENSATION INSURANCE

As covered in the previous section about insurance, workers' compensation is a type of insurance purchased by an employer that provide benefits to its employees if a job-related injury occurs. Florida law requires all employers to purchase workers' compensation insurance.

For more information, please visit the Florida Department of Financial Services, Division of Workers' Compensation website at <https://www.myfloridacfo.com/division/wc/>.

## POST REQUIRED NOTICES

Employers are required to display certain posters in an easily-viewed area of the workplace to inform employees of their rights and employer responsibilities under federal and state labor laws. Some of the notices required by state and federal law include:

- Florida's Minimum Wage Poster
- Uniformed Services Employment and Reemployment Right Act (USERRA) Poster
- U.S. Department of Labor FirstStep Poster Advisor
- Family and Medical Leave Act (FMLA) Poster
- Fair Labor Standards Act (FLSA) Minimum Wage Poster
- Job Safety and Health: It's the Law Poster
- Florida Law Prohibits Discrimination Poster
- Florida Reemployment Assistance Program Law Poster

For more information and to access downloadable posters online, please visit the Florida Department of Economic Opportunity (DEO) website at <https://www.floridajobs.org/business-growth-and-partnerships/for-employers/display-posters-and-required-notices/>.

## GET ORGANIZED AND KEEP YOURSELF INFORMED

Being a good employer does not stop with fulfilling your various tax and reporting obligations. Maintaining a healthy and fair workplace, providing benefits and keeping employees informed about your company's policies are key to your business's success.

## SET UP RECORDKEEPING

In addition to requirements for keeping payroll records of your employees for tax purposes, certain federal employment laws also require you to keep records about your employees. The following bullets highlight additional federal reporting requirements:

- Tax Recordkeeping Guidance
- Labor Recordkeeping Requirements
- Occupational Safety and Health Act Compliance
- Employment Law Guide (employee benefits chapter)
- Apply Standards that Protect Employee Rights
- Complying with standards for employee rights in regards to equal opportunity and fair labor standards is a requirement. Adhering to statutes and regulations for minimum wage, overtime, and child labor can help you avoid errors or lawsuits.

For more information, please visit <https://www.sba.gov/business-guide/manage-your-business/hire-manage-employees>.



## Contracting With State Government

The Florida Department of Management Services (DMS) works closely with the business community to provide an open and competitive process for doing business with the State of Florida.

The DMS website provides information and resources to a vendor who wishes to do business with the State of Florida. MyFloridaMarketPlace (MFMP) is the state's online purchasing system that connects state agencies with registered vendors.

When you register with MFMP at <https://vendor.myfloridamarketplace.com>, benefits include:

- The ability to self-register and maintain your vendor account using the Vendor Information Portal (VIP);
- The ability to receive email notifications of State of Florida business opportunities;
- Online access to business opportunities through MFMP Sourcing and the Vendor Bid System (VBS);
- Electronic purchase order delivery; and
- Faster invoice-to-check cycle time.

MFMP offers free training for interested vendors on a variety of topics. Visit [MFMP U](#) to find out more.

# State Assistance for Businesses Owned by Women, Veterans and Minorities

The Office of Supplier Diversity (OSD) comprises a specialized team under DMS's Division of State Purchasing that seeks to improve business opportunities for Florida-based businesses owned by women, military veterans, and minorities. If your business is owned by one of these groups, the OSD:

- Provides assistance with applicable state certification and recertification;
- Provides advocacy for your business;
- Plans, hosts and supports events targeted to your demographic group; and
- Provides educational and other resources to state government procurement professionals to help increase the use of these businesses in the state and local government procurement contracts.

For more information on the Office of Supplier Diversity and its mission, please visit [https://www.dms.myflorida.com/agency\\_administration/office\\_of\\_supplier\\_diversity\\_osd](https://www.dms.myflorida.com/agency_administration/office_of_supplier_diversity_osd).







## U.S SMALL BUSINESS ADMINISTRATION

The U.S Small Business Administration (SBA) is a federal agency that counsels and assists small businesses in America. The SBA helps business owners with starting and managing their small business as well as those who are interested in building and growing their business. The SBA:

- Offers online training to assist entrepreneurs in opening their business;
- Provides counseling and mentoring at local centers throughout the United States;
- Provides comprehensive tools to assist entrepreneurs and small business owners research, plan, finance and open their businesses;
- Provides loans, surety bonds and grants to eligible business owners; and
- Provides resources for businesses that want to contract with the government.

For more information on the SBA and its resources, please visit <https://www.sba.gov>.

## **SMALL BUSINESS DEVELOPMENT CENTER NETWORK**

Florida's Small Business Development Center Network (SBDC) is the only statewide provider of entrepreneurial and business development services in the state. By assisting entrepreneurs in every stage of the business life cycle, the SBDC plays a vital role in Florida's economic development and success.

New or existing business owners can grow their business by taking advantage of the SBDC's confidential, no-cost professional business consulting services which include: business and strategic plan development, market research, financial analysis, strategic planning, capital access and loan packaging, and market and revenue growth development. The SBDC also provides access to more than one thousand training workshops and seminars annually that provide current and practical information on various business topics.

Access to data and information for existing and aspiring small and medium-sized businesses is available through affiliations and partnerships with higher education institutions, professional databases, business research resources and tools, all of which are typically unaffordable and unavailable for small and medium business owners.

For more information, please visit the Florida Small Business Development Center Network at <https://floridasbdc.org>.

## **ENTERPRISE FLORIDA**

Enterprise Florida, Inc. (EFI) is a public-private partnership between Florida's business and government leaders and is the principal economic development organization for Florida. EFI's mission is to expand and diversify the state's economy through job creation. In pursuit of its mission, EFI works closely with a statewide network of economic development partners and is funded both by the State of Florida and by private-sector businesses. Additionally, the EFI website provides tools to identify business locations in your area that will maximize your success.

EFI's Minority & Small Business, Entrepreneurship and Capital division connects with outside organizations to provide small, minority and entrepreneurial companies with training, development and financing options. EFI has an extensive network of state, federal and non-profit resources ready to assist small businesses in accessing capital, entering new markets, and creating revenue growth and job creation.

Please visit <https://www.enterpriseflorida.com> for more information.

## **DEPARTMENT OF ECONOMIC OPPORTUNITY**

Florida is committed to increasing its global competitiveness as a destination for business, capital, talent, innovation and entrepreneurship. The Department of Economic Opportunity (DEO) utilizes public and private sector expertise to attract, retain and grow businesses and create jobs in Florida. It also provides valuable resources for businesses and entrepreneurs; assistance with recruiting workers; and statistical information regarding Florida businesses and employment. Your business may qualify for various state or federal assistance, including the following:

### **Community Contribution Tax Credit Program**

This program provides financial assistance (up to 50 percent tax credit or sales tax refund) to encourage Florida businesses to make donations toward community development and housing projects for low-income persons. The tax credit is easy for a business to receive. Businesses located anywhere in Florida that make donations to approved community development projects may receive a tax credit of up to 50 percent of the value of the donation.

### **Florida Enterprise Zone Program**

This program offers an assortment of tax considerations to businesses that choose to create employment within an enterprise zone, which is a specific geographic area targeted for economic revitalization. Particulars of this program include a sales and use tax credit; tax refund for business machinery and equipment used in an enterprise zone; sales tax refund for building materials used in an enterprise zone; and a sales tax exemption for electrical energy used in an enterprise zone.

### **Florida's Brownfield Area Loan Guarantee Program**

This program is just one of the benefits available for developers of brownfield sites. A brownfield is property for which the expansion, redevelopment, or reuse may be complicated by the presence or potential presence of a hazardous substance, pollutant, or contaminant. The limited state loan guaranty applies only to 50 percent of the primary lender's loan for redevelopment projects in brownfield areas with two exceptions for healthcare facilities or affordable housing, provided they meet the additional criteria: (1) Florida Department of Environmental Protection - Brownfields Redevelopment Program and (2) Florida Brownfields Association.

### **Florida New Markets Development Program**

This program encourages capital investment in rural and urban low-income communities. It allows taxpayers to earn credits against specified taxes by investing in qualified community development entities that make eligible low-income community investments in qualified active low-income community businesses to create and retain jobs.

### **GrowFL**

Florida's Economic Gardening Technical Assistance Program, GrowFL, provides strategies, resources and support to second-stage companies for next level growth. By supporting companies with Strategic Research and peer-to-peer CEO Learning, GrowFL helps companies overcome obstacles to growth and leads them towards prosperity. Based on the philosophy of Economic Gardening—to grow existing businesses in a community, region or state—GrowFL at the University of Central Florida is a critical component to the state's economic development strategy and Florida's entrepreneurial ecosystem.

### Minority-Owned Business Assistance

Florida assists developing and expanding minority-owned business enterprises by evaluating their unmet needs for capital, providing technical assistance and creating partnerships between state and local governments and private enterprises to aid in business development. Find out more about the Black Business Loan Program and other resources available to minority businesses.

For more information on the Black Business Loan program, please visit the Department of Economic Opportunity at <https://floridajobs.org/community-planning-and-development/Small-and-Minority-Business-Resources/Small-and-Minority-Business-Programs>.

### Research and Development Tax Credit Program

Florida provides a corporate income tax credit to qualified target industry businesses that incur research expenses in Florida. The Florida Corporate Income Tax Credit is contingent, in part, on the eligible business receiving the federal research and development tax credit. Applications for an allocation of the available credit for the state research and development tax credit may be made each year in March.

### Rural and Urban Job Tax Credit Programs

These programs offer job creation stimuli for eligible businesses located within one of the 36 designated rural areas or within one of the 13 designated urban areas.

### State Small Business Credit Initiative

These programs include the Florida Capital Access Program, Florida Venture Capital Program and the Small Business Loan Support Program. They provide Florida's small businesses access to debt and venture capital financing that may not otherwise be available.

For more information, please visit the DEO's website at <https://www.floridajobs.org>.





## Florida Lottery

The Florida Lottery was established by the Florida Legislature in 1987 to maximize revenues for the enhancement of public education in Florida and to enable the people of the state to play the best Lottery games available.

The Florida Lottery offers fun and excitement for all who play, with new games, bigger prizes and more winners. Becoming a Florida Lottery retailer can add a new and exciting dimension to your business. Retailers earn a commission on each ticket sold and a cashing bonus on every prize paid valued under \$600. Retailers can also earn extra cash through various programs.

If you would like more information about becoming a Florida Lottery Retailer, please visit <https://www.flalottery.com/retailers>.

# Disaster Preparedness and Recovery

The Florida Division of Emergency Management works with Floridians to ensure that the state is prepared to respond to emergencies, recover from them, and mitigate their impacts. The division plans for and responds to both natural and man-made disasters ranging from hurricanes and floods to hazardous material spills. The division recommends that all new businesses develop and maintain a business disaster plan, which should include:

- Alternate locations for your business location in the event of business damage;
- A list of important business contacts, including utilities, suppliers, employees, etc.;
- Important business records and documents that your business needs to operate; and
- Emergency contacts for your employees and disaster resources for your business.

Preparing for a disaster in advance could make your business's recovery easier in the event of a disaster. The division provides an online tool that can assist you in creating your own disaster plan at <https://apps.floridadisaster.org/getaplan/>.



# Quick Reference Guide for Opening a Business in Florida

## REGISTER WITH THE DEPARTMENT OF STATE (DOS)

### Business Structure

Determine the business structure for your business (e.g., sole proprietorship, partnership, limited liability company, corporation, etc.).

Register your business at <https://dos.myflorida.com/sunbiz/forms/>.

### Business Name

Florida law requires most business entity names to be distinguishable. Check with the Division of Corporations at <https://dos.myflorida.com/sunbiz/search/> to determine if your business name is already in use. Most individuals and businesses operating under a “doing business as” name are required to file a fictitious name registration. Visit the Division of Corporations’ website to determine if you are required to register a fictitious name.

Register your fictitious name at <https://dos.myflorida.com/sunbiz/start-business/efile/fl-fictitious-name-registration>

## REGISTER WITH THE INTERNAL REVENUE SERVICE (IRS)

If you have employees or file certain types of tax returns, you may be required to register for an Employer Identification Number (EIN). Check with the IRS to determine if your business requires an EIN.

Register for an EIN at [https://www.irs.gov/Businesses/Small-Businesses-&Self-Employed/Apply-for-an-Employer-Identification-Number-\(EIN\)-Online](https://www.irs.gov/Businesses/Small-Businesses-&Self-Employed/Apply-for-an-Employer-Identification-Number-(EIN)-Online).

## REGISTER WITH THE DEPARTMENT OF REVENUE (DOR)

### State Tax Registration

Your business may be required to pay state taxes. Your business structure and type of business determines your tax obligations. Visit DOR to determine and register for your required business taxes at <https://floridarevenue.com/taxes>.

### New Employee Registration

Federal and state law requires all employers to report newly hired and re-hired employees to the DOR.

Register for the new hire program at <https://servicesforemployers.floridarevenue.com/Pages/home.aspx>.

## APPLY FOR A BUSINESS LICENSE, PERMIT OR REGISTRATION

The State of Florida created the Business Information Portal website to guide you through the process of understanding which Florida agencies regulate your business. The portal will provide you a checklist of the licenses, permits, and registrations necessary to start your business in Florida.

Please visit [www.OpenMyFloridaBusiness.gov](http://www.OpenMyFloridaBusiness.gov) for more information. A list of state agencies and the businesses they regulate can be found in Appendix A.

## EXPLORE ADDITIONAL OPPORTUNITIES

In addition to the primary business you are starting, you may want to research additional revenue resources, some that require further licensing. For instance, if you are opening a hotel, you may also want to serve food or alcoholic beverages, both of which require separate licenses.

Many businesses can benefit by contracting with the Florida Lottery as a retailer. If you would like more information, please visit <https://www.flalottery.com/retailers>.

## CHECK LOCAL REGULATIONS AND REQUIREMENTS

In addition to federal and state licensing requirements, your local county and municipal governments likely have their own business requirements and may require additional licenses. Please be sure to check with them before opening. More information can be obtained from:

- The Florida Association of Counties at <https://www.fl-counties.com>,
- The Florida League of Cities at <https://www.floridaleagueofcities.com/research-resources/municipal-directory>, or
- The Florida Small Business Development Center Network at <https://floridasbdc.org/>.

## PREPARE A DISASTER RECOVERY PLAN

Preparing for a disaster in advance could make your business's recovery easier in the event of a disaster.

The Florida Division of Emergency Management provides an online tool that can assist you in creating your own disaster plan at <https://flgetaplan.com/>.



# Appendix A: State Regulatory Agencies

The following state agencies license and regulate many of the businesses operating in Florida. To determine if your business needs to interact with one or more of these agencies, please visit [www.OpenMyFloridaBusiness.gov](http://www.OpenMyFloridaBusiness.gov) for more information.



## AGENCY FOR HEALTH CARE ADMINISTRATION

The Florida Agency for Health Care Administration (AHCA) licenses and regulates health care providers and health care businesses in Florida, such as hospitals, ambulatory surgical centers, nursing homes, assisted living facilities, home health agencies, clinical laboratories and health care clinics. Health care providers and other health care related professionals will need to coordinate with AHCA to obtain applicable licenses or registrations.

For additional information, please visit:  
<https://ahca.myflorida.com>



## DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

The Florida Department of Agriculture and Consumer Services (FDACS) supports and promotes Florida agriculture, protects the environment, safeguards consumers, and ensures the safety and wholesomeness of food. FDACS licenses and inspects various businesses and professions in Florida, such as bakeries, milk producers, weights and measurements, pesticide dealers, oyster harvesting, pre-packaged food sales, beekeepers and travel agents, among others. A variety of different businesses may need to coordinate with FDACS to obtain applicable licenses, registrations and/or permits.

For additional information, please visit:  
<https://www.fdacs.gov/>



## DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

The Florida Department of Business and Professional Regulation (DBPR) licenses and regulates businesses and professionals in the State of Florida, such as barber shops, real estate brokerages, construction businesses, pari-mutuel wagering facilities, free standing restaurants, hotels, and outlets selling alcohol and tobacco products. Many business types need to coordinate with DBPR to obtain applicable licenses, registrations and/or permits.

For additional information, please visit:  
<http://www.myfloridalicense.com/dbpr/>

# Appendix A: State Regulatory Agencies



## DEPARTMENT OF CHILDREN AND FAMILY SERVICES

Florida's Department of Children and Families (DCF) works in partnership with local communities to protect the vulnerable, promote strong and economically self-sufficient families and advance personal and family recovery and resiliency. The Substance Abuse and Mental Health Program Office is responsible for oversight of the licensure and regulation of all substance abuse providers in the state.

For more information, please visit:

<https://www.myflfamilies.com/service-programs/substance-abuse/licensure-regulation>



## DEPARTMENT OF CITRUS

The Florida Department of Citrus's mission is to maximize demand for Florida citrus products in order to ensure the sustainability and economic well-being of the Florida citrus grower, the citrus industry and the State of Florida. This department regulates and oversees all citrus-related business in the state. Citrus is defined, with the exception of grove management, as post-harvest oranges, grapefruit, tangerines and specialty fruit.

For additional information, please visit:

<https://www.floridacitrus.org> or  
<https://www.floridacitrus.org/grower/> for license applications.



## DEPARTMENT OF ECONOMIC OPPORTUNITY

The Florida Department of Economic Opportunity (DEO) assists the Governor in advancing Florida's economy by championing the state's economic development vision and by administering state and federal programs and initiatives to help visitors, citizens, businesses, and communities.

For additional information, please visit:

<https://www.floridajobs.org/about-us>



## DEPARTMENT OF ELDER AFFAIRS

The Florida Department of Elder Affairs (DOEA) administers and develops human service programs to serve elders as they live, contribute, and build legacies in Florida.

For additional information, please visit:

<https://elderaffairs.state.fl.us>

# Appendix A: State Regulatory Agencies



## DEPARTMENT OF ENVIRONMENTAL PROTECTION

The Florida Department of Environmental Protection (DEP) promotes environmental management and stewardship. This agency is one of the more diverse agencies in state government – protecting our air, water and land. The vision of the Florida Department of Environmental Protection is to create strong community partnerships, safeguard Florida’s natural resources and enhance its ecosystems. Since many business types (e.g., manufacturers) impact the state’s precious resources, they need to coordinate with the DEP for appropriate permits to start and operate their business.

For additional information, please visit:

<https://floridadep.gov/> or  
<https://www.fldepportal.com/DepPortal/go/home>



## DIVISION OF EMERGENCY MANAGEMENT

The Florida Division of Emergency Management ensures Florida is prepared to respond to emergencies, recover from them, and mitigate against their impacts. The division plans for and responds to both natural and man-made disasters. These range from floods and hurricanes to incidents involving hazardous materials or nuclear power. The division prepares and implements a statewide Comprehensive Emergency Management Plan, and routinely conducts extensive

exercises to test state and county emergency response capabilities. Preparing for a disaster in advance could make your business’s recovery easier in the event of a disaster.

For additional information, please visit:

<https://www.floridadisaster.org/>.



## DEPARTMENT OF FINANCIAL SERVICES

The Florida Department of Financial Services (DFS) provides services and regulates businesses in financial and insurance-related professions. This department also serves as the state’s fire marshal and chief financial officer. Financial and insurance-related professionals must coordinate with DFS to obtain applicable licenses, registrations and/or permits.

For more information, please visit:

<https://www.myfloridacfo.com>



## DEPARTMENT OF HEALTH

The Florida Department of Health (DOH) licenses and regulates health practitioners and facilities in Florida. Health practitioners, other health-related professionals and certain health-related facilities need to coordinate with DOH to obtain applicable licenses, registrations and/or permits.

For additional information, please visit:

<http://www.floridahealth.gov>

# Appendix A: State Regulatory Agencies



The Florida Department of Highway Safety and Motor Vehicles ensures safety on highways and provides quality service to motorists. The department is committed to proactively protecting our roadways, enhancing online services for motorists, improving customer service and building on relationships with our strategic partners. Businesses involved in commercial driving must coordinate with this department to ensure appropriate licensing.

For additional information, please visit:

<https://www.flhsmv.gov>



## DEPARTMENT OF MANAGEMENT SERVICES

The Department of Management Services' (DMS) primary mission is to support sister agencies with workforce and business-related functions so that agencies can focus on their core missions as defined in law. This department works closely with the business community to provide an open and competitive process for doing business with the State of Florida. Additionally, DMS's Office of Supplier Diversity comprises a specialized team under the Division of State Purchasing that seeks to improve business opportunities for Florida-based businesses owned by women, military veterans, and minorities.

For additional information, please visit:

<https://www.dms.myflorida.com/>



## DEPARTMENT OF REVENUE

The Florida Department of Revenue administers three programs: general tax administration, property tax oversight and child support. The general tax administration program works with Florida businesses that are required to register for, collect, report and remit the taxes and fees administered by the Department. The Department also manages the State of Florida's New Hire Reporting Center. Federal and state laws require employers to report newly hired, re-hired and temporary employees within 20 days of an employee's start date. This information is used to assist the Department's child support program with child support orders. The employment information reported through the state's New Hire Reporting Center is also used to detect and prevent public assistance and reemployment assistance fraud.

For additional information, please visit:

<https://floridarevenue.com/Pages/default.aspx>

# Appendix A: State Regulatory Agencies



## DEPARTMENT OF STATE

The Department of State (DOS) strives to improve the quality of life for all Floridians. DOS collects Florida's important public records and preserves its rich historical and cultural heritage for the benefit of generations to come. In addition, DOS helps to promote economic development and create a competitive business climate for the state through Florida's business friendly corporate filing environment, grant programs that benefit all communities, enrichment of public libraries statewide and support for events that attract tourism. Finally, DOS contributes to the establishment of a stable and open state government by providing access to information and protecting democracy through the oversight of fair and accurate elections. Florida law requires businesses to register fictitious names and most business structures with DOS.

For more information, please visit:  
<https://dos.myflorida.com/>



## FISH AND WILDLIFE CONSERVATION COMMISSION

The Fish and Wildlife Conservation Commission (FWCC) protects and manages hundreds of species of wildlife, which include more than 200 native species of freshwater fish and more than 500 species of saltwater fish. This agency balances the needs of 19 million residents and the wildlife it protects. Some of the businesses licensed and regulated by the FWCC are saltwater product wholesalers and dealers, saltwater vessels, hunting preserves, fur and hide dealers, and alligator farms.

For additional information, please visit:  
<https://myfwc.com>



## FLORIDA LOTTERY

The Florida Lottery offers fun and excitement for all who play, with new games, bigger prizes, and more winners. Florida Lottery also provides information about games, how to become a retailer, and education support.

Funding from the Florida Lottery supports education in each of Florida's 67 counties. The Florida Bright Futures Scholarship Program, funded primarily by the Florida Lottery, has enabled more than 725,000 students to pursue their academic goals at Florida colleges and universities since the program's inception in 1997.

For additional information, please visit:  
<https://www.flalottery.com>

# Appendix A: State Regulatory Agencies



## OFFICE OF FINANCIAL REGULATION

Florida's Office of Financial Regulation provides regulatory oversight for Florida's financial services providers. This office protects the citizens of Florida, promotes a safe financial marketplace and contributes to the growth of Florida's economy with smart, efficient and effective regulation of the financial services industry. This agency licenses and regulates state-chartered banks and credit unions; mortgage lenders and brokers; money services businesses; securities professionals and firms; and other financial services businesses.

For more information, please visit:

<https://flofr.gov/>



## OFFICE OF INSURANCE REGULATION

Florida's Office of Insurance Regulation promotes a stable and competitive insurance market for consumers. This office envisions a robust and competitive insurance market while maintaining protections for the insurance-buying public. The Company Admissions Section is responsible for the receipt of all company applications and the coordination of the Office's review of such applications prior to granting approval to a company to sell insurance in Florida.

For additional information, please visit:

<https://www.floir.com/>

# Appendix B: Other Resources

## USDA RURAL DEVELOPMENT PROGRAMS AND SERVICES FOR BUSINESSES

USDA Rural Development operates over fifty financial assistance programs for a variety of rural applications. Select a category that best describes your situation, and see what Rural Development can do to assist you.

For more information, review the full list of all programs at <https://www.rd.usda.gov/programs-services/all-programs>

Some programs of interest are:

- Advanced Biofuel Payment Program
- Biorefinery, Renewable Chemical, and Biobased Product
- Manufacturing Assistance Program
- Business and Industry Loan Guarantees
- Community Connect Grants
- Distance Learning and Telemedicine Grants
- Distributed Generation Energy Project Financing
- Farm Bill Broadband Loans and Loan Guarantees
- Intermediary Relending Program
- Repowering Assistance Program
- Rural Business Development Grants
- Rural Business Investment Program
- Rural Economic Development Loan and Grant Program

- Rural Energy for America Program  
Renewable Energy
- Systems and Energy Efficiency Improvement Loans and Grants
- Rural Microentrepreneur Assistance Program
- Socially-Disadvantaged Groups Grant
- Strategic Economic and Community Development
- Telecommunications Infrastructure Loans and Loan Guarantees
- Value Added Producer Grants

## MINORITY DEVELOPMENT PARTNERS

### Florida State Minority Supplier Development Council

A non-profit organization dedicated to increasing purchasing from minority businesses by government entities and corporations while increasing Minority Business Enterprises' (MBEs) operating capacity through hands-on business assistance; training; and access to technology and capital resources.

For additional information, please see <https://fmsdc.org/>

### Prospera

Prospera is an economic development, nonprofit organization, specialized in providing bilingual assistance to Hispanic entrepreneurs establishing or expanding their business in Florida. Prospera offers individual consulting; business seminars in Spanish; assistance to obtain loans; and entrepreneurial grants for subcontracted projects such as business and marketing plans, corporate branding and website

## Appendix B: Other Resources

creation, accounting and legal assessments and more. With offices in Florida's central, south and west coast regions, services are provided at no charge thanks to contributions from individual and corporate donors, government grants and fund-raising.

For additional information, please visit <https://prosperausa.org/>

### **Florida Advisory Council on Small and Minority Business Development (FACSMBD)**

FACSMBD is statutorily authorized and is administered through the Florida Department of Management Services (DMS). Through policy recommendations to the Governor, heads of the Senate and House and the DMS Secretary, the council plays a major role in making a difference for Florida's small- and micro-businesses. The council's Annual Report provides an update on the council's progress and six key recommendations, including reconfiguring current micro-finance law to make it user-friendly for borrowers and lenders. Appointed by the DMS Secretary and approved by the Governor, the council comprises diverse constituencies and stakeholders. It operates through a committee system, and all meetings are open to the public.

For more information, please visit [https://www.dms.myflorida.com/agency\\_administration/office\\_of\\_supplier\\_diversity\\_osd/florida\\_advisory\\_council\\_on\\_small\\_and\\_minority\\_business\\_development2](https://www.dms.myflorida.com/agency_administration/office_of_supplier_diversity_osd/florida_advisory_council_on_small_and_minority_business_development2)

### **Additional Resources**

For additional resources, please visit the OpenMyFloridaBusiness Resource page at <https://openmyfloridabusiness.gov/resources/>





**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

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**DISCLAIMER:** While efforts were made to verify that the content of this eGuide is accurate and comprehensive, it is recommended that you consult with a professional (e.g., SBDC, attorney, CPA, etc.) to ensure you meet all requirements before starting your business. The Department is not responsible for the content of websites linked from the eGuide or portal.