



Florida Department of Revenue
Office of the Executive Director

Jim Zingale
Executive Director

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floridarevenue.com

May 5, 2022

Representative Angie Nixon
3939 Roosevelt Boulevard, Suite G-121
Jacksonville, FL 32205-8949
angie.nixon@myfloridahouse.gov

RE: March 24, 2022, Request for Corporate Income Tax Information

Dear Representative Nixon:

This is in response to your request for corporate income tax information dated March 24, 2022.

Each year of data is based on taxable years ending within the calendar year unless otherwise noted. Although you requested 2021 data, the data for all taxable years that end within the 2021 calendar year is not complete and therefore is not provided in this letter. For example, taxable years ending December 31, 2021, are not due until May 1, 2022, and if the return is extended, are not due until November 1, 2022. As a result, complete data for 2021 is not yet available.

Please note that Florida corporate income/franchise taxpayers may file tax returns as an individual business or, at the election of the taxpayer, on a consolidated basis (more than one business filing as a single consolidated entity). The numbers below are based on filers of all Florida corporate income/franchise tax returns.

Section 213.053, Florida Statutes, provides strict limitations on the Department of Revenue's (Department) ability to share confidential taxpayer information. Because of these statutory limitations, the Department is unable to provide any information that would identify any specific Florida corporate income/franchise tax taxpayer.

The attached information is based on data available at the time it was pulled for this request.

Please feel free to reach out to me or Alec Yarger, Legislative and Cabinet Services Director, at alec.yarger@floridarevenue.com or (850) 617-8324 if we can be of further assistance.

Sincerely,

Jim Zingale
Executive Director
Florida Department of Revenue

Question 1: Of our state’s 1,000 largest corporate employers, as measured by reemployment tax contributions, how many reported zero or less total corporate income/franchise tax due for the four most recent tax years for which you have complete data?

Response:

Tax Year	2017	2018	2019	2020
Total Reemployment Tax Amount paid by the Top 1,000 Corporate Income Tax Filers	\$100,944,298	\$68,711,593	\$52,528,269	\$42,402,724
Number with Zero Corporate Income Tax Due	627	606	575	573

Question 2: For C-Corporations that reported over \$1 million in federal taxable income, how many reported zero or less total state corporate income/franchise tax due for the four most recent tax years for which you have complete data? Please breakdown the information for companies that reported (a) less than \$500 thousand, (b) less than \$1 million, (c) over \$1 million, (d) over \$50 million, (e) over \$100 million, (f) over \$250 million, (g) over \$1 billion in federal taxable income. For each income category and four most recent tax years, could you provide the actual number of C-Corporations per specified income category, the total dollar amount of income reported in each category, and the number of companies that reported zero or less state corporate income/franchise tax?

Response:

Tax Year	Federal Taxable Income Category	Number of Filers	Total Federal Taxable Income for These Filers	Number of These Filers that Reported Zero or Less Florida Corporate Income/Franchise Tax
2017	Less than \$500,000	230,314	-\$435,362,093,091	220,985
	Less than \$1 million	232,679	-\$433,661,075,937	222,287
	Over \$1 million	11,172	\$828,526,478,414	3,728
	Over \$50 Million	1,707	\$739,857,558,749	373
	Over \$100 Million	1,008	\$691,207,900,540	217
	Over \$250 Million	506	\$613,772,708,120	104
	Over \$1 Billion	132	\$435,553,376,115	26
2018	Less than \$500,000	235,730	-\$420,392,544,088	225,302
	Less than \$1 million	238,267	-\$418,569,504,924	226,675
	Over \$1 million	12,716	\$1,226,658,487,729	4,244
	Over \$50 Million	2,107	\$1,126,347,330,390	502
	Over \$100 Million	1,301	\$1,069,188,047,664	315
	Over \$250 Million	673	\$970,615,374,701	163
	Over \$1 Billion	191	\$735,144,391,176	42
2019	Less than \$500,000	236,519	-\$457,639,209,043	225,599

	Less than \$1 million	239,269	-\$455,666,589,204	227,020
	Over \$1 million	13,081	\$1,338,409,281,101	4,229
	Over \$50 Million	2,170	\$1,235,647,522,758	476
	Over \$100 Million	1,387	\$1,180,920,475,444	310
	Over \$250 Million	706	\$1,073,712,064,010	157
	Over \$1 Billion	208	\$829,607,523,596	38
2020	Less than \$500,000	238,016	-\$599,303,017,436	227,486
	Less than \$1 million	240,743	-\$597,351,612,738	228,863
	Over \$1 million	13,629	\$1,303,328,849,136	4,215
	Over \$50 Million	2,364	\$1,195,677,598,595	475
	Over \$100 Million	1,487	\$1,133,908,779,442	279
	Over \$250 Million	743	\$1,016,961,116,514	135
	Over \$1 Billion	214	\$763,061,092,626	35

Note: Section 220.14, F.S., provides an exemption for Florida corporate income tax of \$50,000 for a full year.

Question 3: Of all corporations (C-Corps or LLCs taxed as corporations) doing business in Florida, what percentage reported total corporate income/franchise tax due zero or less for the four most recent tax years for which you have data?

Response:

Tax Year	2017	2018	2019	2020
Total Number of Filers	243,851	250,983	252,350	254,372
Percent of Filers with Total Corporate Income/Franchise Tax Due of Zero or Less	92.69%	92.01%	91.64%	91.63%

Note: Section 220.14, F.S., provides an exemption for Florida corporate income tax of \$50,000 for a full year.

Question 4: Concerning the business landscape in Florida – and with the understanding that S-Corps are exempt from paying corporate income taxes – how many S-Corps and LLCs exempt from corporate income taxes are registered with the Department of Revenue? Would you please provide an answer for the four most recent tax years for which you have complete data?

Response: Department data does not separate entities by how they are treated for federal income tax purposes. The data below is based on a search within our data for all taxes, where the taxpayer’s name included “S-Corp,” “LLC” or “L.L.C.,” and where the taxpayer was not active and required to file Florida corporate income/franchise tax returns. 2021 is included here because we are looking at a point in time for the name.

Calendar Year	2018	2019	2020	2021
Total Number of S-Corps and LLCs not required to file corporate income taxes but registered with the DOR	57,469	59,901	64,154	77,156

Question 5: Of all the corporations (C-Corps or LLCs taxed as corporations) doing business in Florida that reported federal taxable income of greater than zero, what percentage reported total Florida corporate income tax due of zero or less?

Response:

Tax Year	2017	2018	2019	2020
Total Number of Filers with Positive Federal Taxable Income	63,571	66,947	69,264	63,675
Percent of Filers with Positive Federal Taxable Income That Have Total Florida Corporate Income/Franchise Tax Due of Zero or Less	74.02%	72.41%	72.40%	69.90%

Note: Section 220.14, F.S., provides an exemption for Florida corporate income tax of \$50,000 for a full year.

Question 6: Of all the corporations (C-Corps or LLCs taxed as corporations) doing business in Florida that reported federal taxable income of greater than zero, what percentage reported Florida portion of the adjusted federal income of zero?

Response:

Tax Year	2017	2018	2019	2020
Total Number of Filers with Positive Federal Taxable Income	63,571	66,947	69,264	63,675
Percent of Filers with Positive Federal Taxable Income That Have Florida Portion of Adjusted Federal Income of Zero or Less	15.43%	14.41%	14.24%	12.85%

Question 7: Section 220.1105, F.S., requires the Department of Revenue to refund \$623.9 million before May 1, 2022, on a proportional basis to taxpayers that paid Florida corporate income/franchise tax based on net excess collections data (see General Revenue Conference Results, August 17, 2021). Considering the \$623.9 million refund for taxable year beginning April 1, 2019, and March 31, 2020: Part 1) how many businesses are set to receive a refund? (Part 2) Also, how much of the refund will the top 10, 50, 100, 250, and 500 corporate recipients receive?

Response:

Part 1:

Section 220.1105, F.S., required the Department to refund \$623,827,866.74 before May 1, 2022, on a proportional basis to taxpayers that paid Florida corporate income/franchise tax and/or received a Florida Tax Credit Scholarship Program credit on their return(s) with a taxable year beginning between April 1, 2019 and March 31, 2020.

There are a total of 21,343 refunds, and of those 2,627 had either "LLC" or "L.L.C." in the name.

Part 2:

	Total Refund Amount	Percentage of all Refunds
Largest 10 Refunds	\$105,505,438.27	17.07%
Largest 50 Refunds	\$242,803,133.66	38.92%
Largest 100 Refunds	\$306,400,086.49	49.12%
Largest 250 Refunds	\$390,182,137.55	62.55%
Largest 500 Refunds	\$450,745,402.46	72.25%

Question 8: Concerning public expenditures over the last ten tax years, can you specify how many (i) S-Corps and LLCs (exempt from corporate income/franchise tax) and how many (ii) C-Corps and LLCs taxed as corporations received (a) tax credits, (b) refunds associated with Form DR-26, and (c) automatic refunds for reemployment tax overpayment for the 10 most recent tax years for which you have complete data?

Response: The Department does not track public expenditures. The data below summarizes credits taken on the Florida corporate income/franchise tax return, amounts refunded to corporate income/franchise tax taxpayers in response to the filing of Form DR--26, and corporate income/franchise tax taxpayers that had an automatic reemployment tax refunds related to overpayments of their reemployment tax returns for the same year.

Tax Year	Corporate Income Tax Returns with Credits	Total Credits on Corporate Income Tax Returns
2011	187	\$113,602,905
2012	190	\$108,330,254
2013	193	\$112,214,001
2014	218	\$141,088,576
2015	279	\$163,317,807
2016	323	\$160,197,105
2017	267	\$168,923,854
2018	324	\$254,370,084
2019	282	\$291,283,374
2020	214	\$274,064,439

Calendar Year	DR-26 Approved Applications for Corporate Income Tax	Total Corporate Income Tax DR-26 Refund Amounts
2011	371	\$9,180,493
2012	390	\$22,539,172
2013	388	\$11,683,703
2014	524	\$54,211,976
2015	714	\$54,595,091
2016	688	\$19,726,392
2017	479	\$59,612,126
2018	441	\$21,456,187
2019	517	\$43,575,202
2020	406	\$20,773,217
2021	393	\$26,058,723

Note: 2021 is included here because we are looking at a point in time for the application and payment of a refund via a DR-26.

Calendar Year	Corporate Income Taxpayers with Reemployment Tax Returns with Automatic Refunds	Total Reemployment Tax Automatic Refund Amounts
2011	14,088	\$12,430,014
2012	12,832	\$18,218,343
2013	12,945	\$12,501,776
2014	14,024	\$13,356,163
2015	11,372	\$14,371,705
2016	10,321	\$14,234,447
2017	10,394	\$10,177,541
2018	10,540	\$8,960,518
2019	9,746	\$12,309,470
2020	8,961	\$7,701,300

Note: An automatic refund of reemployment tax occurs when a taxpayer pays more than was due on the return.