



The Florida House of Representatives

Representative Angela Nixon

District 14

March 24, 2022

Jim Zingale
Executive Director
Florida Department of Revenue

Dear Mr. Zingale:

On behalf of my office please find our request for important data regarding the state's corporate income tax below.

As a means of gaining statistical information on our state's system of taxation and on the tax obligation of corporations that do business in Florida, could you answer the following ten questions?

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?

Tax Year	Total Reemployment Tax Amount paid by the Top 1,000 Reemployment Tax Contributors	Number of Top 1,000 Reemployment Tax Contributors that paid Zero State Corporate Income Tax
2021		
2020		
2019		
2018		

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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?

Tax Year	Income Category	Number of Filers	Total Federal Taxable Income for These Filers	Number of These Filers that Reported Zero or Less Florida Corporate Income Tax
2021	\$500 thousand or less			
2021	\$1 million or less			
2021	Over \$1 million			
2021	Over \$50 million			
2021	Over \$100 million			
2021	Over \$250 million			
2021	Over \$1 Billion			

· Would you please add to the table to reflect information for the four most recent tax years?

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?

Tax Year	2021	2020	2019	2018
Total Number of Filers				
Percent of Filers with Total Corporate Income Tax Due of Zero or Less				

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?

Tax Year	2021	2020	2019	2018
Total Number of S-Corps and LLCs not required to file corporate income taxes but registered with the DOR				

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?

Tax Year	2021	2020	2019	2018
Total Number of Filers with Positive Federal Taxable Income				
Percent of Filers with Positive Federal Taxable Income that Have Total Florida Corporate Income Tax Due of Zero or Less				

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?

Tax Year	2021	2020	2019	2018
Total Number of Filers with Positive Federal Taxable Income				
Percent of Filers with Positive Federal Taxable Income That Have Florida Portion of Adjusted Federal Income of Zero or Less				

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?

Part 1

Refund Period	Total Number of C-Corps To Receive a Refund	Total Number of LLCs Taxed as Corporations to Receive a Refund
Refund for Tax Year April 1, 2019 – March 31, 2020		

Part 2

Recipients of Refund for Tax Year April 1, 2019 – March 31, 2020 (under HB 7127)	Total Refund Amount	Percentage of all Refunds (623.9 million)
Largest 10 refunds		
Largest 50 refunds		
Largest 100 refunds		

Largest 250 refunds		
Largest 500 refunds		

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?

Tax Year	Public Expenditure Type	Number of S-Corps or LLCs exempt from CIT recipients (count)	Total Public Expenditure \$ Amount Awarded to S-Corps or LLCs exempt from CIT	Number of C-Corps or LLCs required to file CIT recipients (count)	Total Public Expenditure \$ Amount Awarded to C-Corps or LLCs CIT liable
2021	Tax Credits				
2021	DR-26 Refunds				
2021	Reemployment Tax Overpayment Refunds				

· Would you please add to the table to reflect information for the 10 most recent tax years?

In service,

Representative Angie Nixon