

Bill No. CS for SB 2532, 1st Eng.

Amendment No. ____

	<u>Senate</u>	CHAMBER ACTION	<u>House</u>
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11	Senator Horne moved the following amendment:		
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13	Senate Amendment (with title amendment)		
14	On page 8, between lines 2 and 3,		
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16	insert:		
17	Section 6. Paragraph (a) of subsection (1) of section		
18	440.50, Florida Statutes, is amended to read:		
19	440.50 Workers' Compensation Administration Trust		
20	Fund.--		
21	(1)(a) There is established in the State Treasury a		
22	special fund to be known as the "Workers' Compensation		
23	Administration Trust Fund" for the purpose of providing for		
24	the payment of all expenses in respect to the administration		
25	of this chapter, including the vocational rehabilitation of		
26	injured employees as provided in s. 440.49 and the payments		
27	due under s. 440.15(1)(f), <u>the funding of the fixed</u>		
28	<u>administrative expenses of the plan,</u> and the funding of the		
29	Bureau of Workers' Compensation Fraud within the Department of		
30	Insurance. Such fund shall be administered by the division.		
31	Section 7. Subsections (13) and (14) are added to		

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1 section 440.51, Florida Statutes, to read:

2 440.51 Expenses of administration.--

3 (13) As used in s. 440.50 and this section, the term:

4 (a) "Plan" means the workers' compensation joint

5 underwriting plan provided for in s. 627.311(4).

6 (b) "Fixed administrative expenses" means the expenses

7 of the plan, not to exceed \$750,000, which are directly

8 related to the plan's administration but which do not vary in

9 direct relationship to the amount of premium written by the

10 plan and which do not include loss adjustment premiums.

11 (14) Before July 1 in each year, the plan shall notify

12 the division of the amount of the plan's gross written

13 premiums for the preceding calendar year. Whenever the plan's

14 gross written premiums reported to the division are less than

15 \$30 million, the division shall transfer to the plan, subject

16 to appropriation by the Legislature, an amount not to exceed

17 the plan's fixed administrative expenses for the preceding

18 calendar year.

19 Section 8. Paragraph (g) of subsection (4) of section

20 627.311, Florida Statutes, is amended to read:

21 627.311 Joint underwriters and joint reinsurers.--

22 (4)

23 (g) Whenever a deficit exists, the plan shall, within

24 90 days, provide the department with a program to eliminate

25 the deficit within a reasonable time. The deficit may be

26 funded ~~both~~ through increased premiums charged to insureds of

27 the plan for subsequent years, through the use of policyholder

28 surplus attributable to any year, and through assessments on

29 insureds in the plan if the plan uses assessable policies.

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31 (Redesignate subsequent sections.)

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1 ===== T I T L E A M E N D M E N T =====

2 And the title is amended as follows:

3 On page 1, line 18, following the semicolon

4

5 insert:

6 amending s. 440.50, F.S.; revising the purpose

7 of the Workers' Compensation Administration

8 Trust Fund; amending s. 440.51, F.S.; defining

9 the terms "plan" and "fixed administrative

10 expenses" for purposes of administering the

11 workers' administration program; providing for

12 transfer of funds to the workers' compensation

13 joint underwriting plan, subject to

14 appropriation; amending s. 627.311, F.S.;

15 providing for funding a deficit in the workers'

16 compensation joint underwriting plan through

17 policyholder surplus;

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