

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 operating</u>		
28	<u>expenses of the plan,</u> and the funding of the Bureau of		
29	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 operating expenses" means the expenses of
7 the plan, not to exceed \$1 million, which are directly related

8 to the plan's operation and administration but which do not
9 vary in direct relationship to the amount of premium written
10 by the 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, subject to

16 appropriation by the Legislature, to the plan an amount equal
17 to the plan's fixed operating 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 operating expenses"
10 for purposes of administering the workers'
11 administration program; providing for transfer
12 of funds to the workers' compensation joint
13 underwriting plan, subject to appropriation;
14 amending s. 627.311, F.S.; providing for
15 funding a deficit in the workers' compensation
16 joint underwriting plan through policyholder
17 surplus;

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