

# SENATE STAFF ANALYSIS AND ECONOMIC IMPACT STATEMENT

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

BILL: SB 840

SPONSOR: Senator Clary

SUBJECT: Special Disability Trust Fund

DATE: February 6, 2004 REVISED: \_\_\_\_\_

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	<u>Kynoch</u>	<u>Hayes</u>	<u>AGG</u>	<u>Favorable</u>
2.	_____	_____	<u>AP</u>	_____
3.	_____	_____	_____	_____
4.	_____	_____	_____	_____
5.	_____	_____	_____	_____
6.	_____	_____	_____	_____

## I. Summary:

This legislation re-creates the Special Disability Trust Fund without modification. The Special Disability Trust Fund, FLAIR #43-2-798, is administered by the Department of Financial Services. It was transferred from the Department of Labor and Employment Security by Chapter 2002-194, Laws of Florida. This fund was last re-created effective November 4, 2000, by Chapter 2000-78, Laws of Florida.

## II. Present Situation:

The Special Disability Trust Fund was established to facilitate the return of workers having a previous work related injury or illness to the workplace by encouraging employment, reemployment and accommodation of the physically disabled by reducing an employer's insurance premium for reemploying an injured worker. This fund provides reimbursement to carriers for workers' compensation claims paid on behalf of employees who were hired with preexisting conditions. The revenue sources for this fund are filing fees and an annual assessment upon carriers writing workers' compensation insurance in the state and self-insurers, s. 440.49(9), F.S. This fund was closed to new accidents occurring on or after January 1, 1998, s. 440.49(11), F.S.

## III. Effect of Proposed Changes:

This bill re-creates the trust fund without modification.

**IV. Constitutional Issues:**

## A. Municipality/County Mandates Restrictions:

None.

## B. Public Records/Open Meetings Issues:

None.

## C. Trust Funds Restrictions:

None.

**V. Economic Impact and Fiscal Note:**

## A. Tax/Fee Issues:

None.

## B. Private Sector Impact:

None.

## C. Government Sector Impact:

This legislation has no fiscal impact on state agencies or state funds, on local governments as a whole or on the private sector. It simply re-creates, without modification, an existing state trust fund and continues the current use of the fund.

**VI. Technical Deficiencies:**

None.

**VII. Related Issues:**

None.

**VIII. Amendments:**

None.