

By Senator Hays

20-01008-12

20121094

1                   A bill to be entitled  
2           An act relating to workers' compensation; amending s.  
3           440.107, F.S.; revising penalties applicable to  
4           employers who fail to secure the payment of workers'  
5           compensation as required; providing an effective date.  
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7 Be It Enacted by the Legislature of the State of Florida:  
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9           Section 1. Paragraph (d) of subsection (7) of section  
10          440.107, Florida Statutes, is amended to read:

11           440.107 Department powers to enforce employer compliance  
12          with coverage requirements.-

13           (7)

14           (d)1. In addition to any penalty, stop-work order, or  
15          injunction, the department shall assess against any employer who  
16          has failed to secure the payment of compensation as required by  
17          this chapter a penalty equal to 2 ~~1.5~~ times the amount the  
18          employer would have paid in premium when applying approved  
19          manual rates to the employer's payroll during periods for which  
20          it failed to secure the payment of workers' compensation  
21          required by this chapter within the preceding 1-year ~~3-year~~  
22          period or \$1,000, whichever is greater.

23           2. Any subsequent violation within 5 years after the most  
24          recent violation shall, in addition to the penalties set forth  
25          in this subsection, be deemed a knowing act within the meaning  
26          of s. 440.105.

27           Section 2. This act shall take effect July 1, 2012.