

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 1.5, 1.75, or 2 times the amount
 18 the 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, as follows: for
 23 employers in violation of coverage requirements for less than 30
 24 days in total, 1.5 times such amount; for employers in violation
 25 of coverage requirements for at least 30 days but less than 1
 26 year in total, 1.75 times such amount; and for employers in
 27 violation of coverage requirements for 1 year in total, 2 times
 28 such amount.

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29 2. Any subsequent violation within 5 years after the most
30 recent violation shall, in addition to the penalties set forth
31 in this subsection, be deemed a knowing act within the meaning
32 of s. 440.105.

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