

1                                   A bill to be entitled  
 2           An act relating to workers' compensation; amending s.  
 3           627.072, F.S.; authorizing employers to negotiate the  
 4           retrospectively rated premium with insurers under  
 5           certain conditions; providing an exemption; providing  
 6           requirements for the filing and approval of such plans  
 7           and associated forms; providing an exception; amending  
 8           s. 627.281, F.S.; conforming a cross-reference;  
 9           providing an effective date.

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11 Be It Enacted by the Legislature of the State of Florida:

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13           Section 1. Subsections (2), (3), and (4) of section  
 14           627.072, Florida Statutes, are renumbered as subsections (3),  
 15           (4), and (5), respectively, and subsection (2) is added to that  
 16           section, to read:

17           627.072 Making and use of rates.—

18           (2) A retrospective rating plan may contain a provision  
 19           that allows for negotiation of a premium between the employer  
 20           and the insurer for employers having exposure in more than one  
 21           state and an estimated annual standard premium in this state of  
 22           \$175,000 or more and an estimated annual countrywide standard  
 23           premium of \$1 million or more for workers' compensation.  
 24           Provisions within a retrospective rating plan authorizing  
 25           negotiated premiums are exempt from subsection (1). Such plans  
 26           and associated forms must be filed by a rating organization and

27 approved by the office. However, a premium negotiated between  
28 the employer and the insurer pursuant to an approved  
29 retrospective rating plan is not subject to this part.

30 Section 2. Subsection (2) of section 627.281, Florida  
31 Statutes, is amended to read:

32 627.281 Appeal from rating organization; workers'  
33 compensation and employer's liability insurance filings.—

34 (2) If such appeal is based upon the failure of the rating  
35 organization to make a filing on behalf of such member or  
36 subscriber which is based on a system of expense provisions  
37 which differs, in accordance with the right granted in s.  
38 627.072(3) ~~627.072(2)~~, from the system of expense provisions  
39 included in a filing made by the rating organization, the office  
40 shall, if it grants the appeal, order the rating organization to  
41 make the requested filing for use by the appellant. In deciding  
42 such appeal, the office shall apply the applicable standards set  
43 forth in ss. 627.062 and 627.072.

44 Section 3. This act shall take effect July 1, 2014.