

By the Committee on Commerce and Tourism; and Senator Simpson

577-03931-14

2014952c1

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; amending s. 627.281, F.S.;
6 conforming a cross-reference; providing an effective
7 date.

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

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11 Section 1. Present subsections (2) through (4) of section
12 627.072, Florida Statutes, are renumbered as subsections (3)
13 through (5), respectively, and a new subsection (2) is added to
14 that section, to read:

15 627.072 Making and use of rates.—

16 (2) A retrospective rating plan may contain a provision
17 that allows for negotiation of a premium between the employer
18 and the insurer for employers having exposure in more than one
19 state and an estimated annual standard premium in this state of
20 \$175,000 or more and an estimated annual countrywide standard
21 premium of \$1 million or more for workers' compensation.

22 Provisions within a retrospective rating plan authorizing
23 negotiated premiums are exempt from subsection (1). Such plans
24 and associated forms must be filed by a rating organization and
25 approved by the office. However, a premium negotiated between
26 the employer and the insurer pursuant to an approved
27 retrospective rating plan is not subject to this part.

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

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30 627.281 Appeal from rating organization; workers'
31 compensation and employer's liability insurance filings.—

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

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