

1 A bill to be entitled
2 An act relating to workers' compensation insurance;
3 amending s. 627.171, F.S.; authorizing an insurer to
4 use excess rates for a specified percentage of its
5 workers' compensation insurance policies; specifying
6 the workers' compensation policies that are excluded
7 from such percentage; removing provisions relating to
8 the exclusion of specified commercial insurance
9 policies from the percentage of policies that are
10 subject to excess rates; amending s. 631.912, F.S.;
11 revising the composition of the board of directors of
12 the Florida Workers' Compensation Insurance Guaranty
13 Association, Incorporated; providing an effective
14 date.

15
16 Be It Enacted by the Legislature of the State of Florida:

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18 **Section 1. Subsection (2) of section 627.171, Florida**
19 **Statutes, is amended to read:**

20 627.171 Excess rates.—

21 (2) (a) An insurer may ~~not~~ use excess rates pursuant to
22 this section, only as follows:

23 1. For no more than 10 percent of its commercial insurance
24 policies written or renewed in each calendar year for any line
25 of commercial insurance, other than workers' compensation.

26 2. For no more than 20 percent of its workers'
27 compensation insurance policies written or renewed in each
28 calendar year. ~~or~~

29 3. For no more than 5 percent of its personal lines
30 insurance policies written or renewed in each calendar year for
31 any line of personal insurance.

32 (b) In determining the 20 percent ~~10-percent~~ limitation
33 for workers' compensation commercial insurance policies, the
34 insurer shall exclude any workers' compensation policy that was
35 written for an employer who had coverage in the joint
36 underwriting plan created by s. 627.311(5) immediately before
37 ~~prior to~~ the writing of the policy by the insurer and any
38 workers' compensation policy that was written for an employer
39 who had been offered coverage in the joint underwriting plan but
40 who was written a policy by the insurer in lieu of accepting the
41 joint underwriting plan policy. Such ~~These~~ workers' compensation
42 policies must ~~shall~~ be excluded from the 20 percent ~~10-percent~~
43 limitation for the first 3 years of coverage.

44 **Section 2. Subsection (1) of section 631.912, Florida**
45 **Statutes, is amended to read:**

46 631.912 Board of directors.—

47 (1) The board of directors of the corporation shall be
48 composed ~~consist~~ of nine ~~11~~ persons, one ~~±~~ of whom is the
49 insurance consumer advocate appointed under s. 627.0613 or his
50 or her designee and one ~~±~~ of whom is designated by the Chief

Financial Officer. The department shall appoint to the board four ~~6~~ persons selected by private carriers from among the 20 workers' compensation insurers with the largest amount of direct written premium as determined by the department, one person nominated by a statewide trade association representing Florida employers, which is designated by the Chief Financial Officer, and one person nominated by the largest property and casualty insurance agents association in this state. The Chief Financial Officer may appoint ~~and 2 persons selected by the self-insurance funds or~~ other persons with experience in workers' compensation insurance to the board to serve in place of a nominee of either association ~~as determined by the Chief Financial Officer.~~ These appointments are deemed to be within the scope of the exemption provided in s. 112.313(7)(b). The Governor shall appoint one person who has commercial insurance experience. At least two of the private carriers shall be foreign carriers authorized to do business in this state. The board shall elect a chair ~~chairperson~~ from among its members. The Chief Financial Officer may remove any board member for cause. Each board member shall be appointed to serve a 4-year term and may be reappointed. A vacancy on the board must ~~shall~~ be filled for the remaining period of the term in the same manner by which the original appointment was made.

Section 3. This act shall take effect July 1, 2026.