

HB 1243

2026

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

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

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

627.171 Excess rates.—

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

1. For no more than 10 percent of its commercial insurance policies written or renewed in each calendar year for any line 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 1 of whom is the
49 insurance consumer advocate appointed under s. 627.0613 or his
50 or her designee and one 1 of whom is designated by the Chief

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

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