

CS/HB 789

2012

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.
6

7 Be It Enacted by the Legislature of the State of Florida:
8

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.