

STORAGE NAME: h1385z.ted  
DATE: May 24, 2000

**\*\*AS PASSED BY THE LEGISLATURE\*\***  
CHAPTER #: 2000-78, Laws of Florida

**HOUSE OF REPRESENTATIVES  
COMMITTEE ON  
TRANSPORTATION AND ECONOMIC DEVELOPMENT APPROPRIATIONS  
FINAL TRUST FUND RE-CREATION ANALYSIS**

**BILL #:** HB 1385 (PCB TED 00-29)

**RELATING TO:** Re-creating the Special Disability Trust Fund in the Department of Labor and Employment Security

**SPONSOR(S):** Committee on Transportation and Economic Development Appropriations

**TIED BILL(S):**

**ORIGINATING COMMITTEE(S)/COMMITTEE(S) OF REFERENCE:**

- (1) TRANSPORTATION & ECONOMIC DEVELOPMENT APPROPRIATIONS YEAS 9 NAYS 0
  - (2)
  - (3)
  - (4)
  - (5)
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**I. SUMMARY:**

This legislation re-creates the Special Disability Trust Fund without modification, effective November 4, 2000. The Special Disability Trust Fund, FLAIR #54-2-798, is administered by the Department of Labor and Employment Security. This fund was last re-created effective November 4, 1996, by Chapter 96-155, Laws of Florida.

The House substituted SB 594 for HB 1385 prior to final passage on March 15, 2000.

**II. SUBSTANTIVE ANALYSIS:**

**A. PRESENT SITUATION:**

**1. MAJOR STATUTES THAT CONTROL THE TRUST FUND:**

Section 440.49, F.S., creates the fund, provides sources of revenue for the fund, and defines the uses of the fund.

Section 440.50, F.S., provides a source of revenue for the fund.

**2. BRIEF DESCRIPTION OF THE FUND'S USES OR PURPOSES:**

The fund is used to encourage the employment, reemployment, and accommodation of the physically disabled by reducing an employer's insurance premium for reemploying an injured worker, to decrease litigation between carriers on apportionment issues, and to protect employers from excess liability for compensation and medical expense when an injury to a physically disabled worker merges with, aggravates, or accelerates her or his preexisting permanent physical impairment to cause either a greater disability or permanent impairment, or an increase in expenditures for temporary compensation or medical benefits than would have resulted from the injury alone.

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3. MAJOR SOURCES OF REVENUE FOR THE FUND:

The major sources of revenue for the fund are annual assessments upon the insurance companies writing compensation insurance in the state, the commercial self-insurers under ss. 624.462 and 624.4621, the assessable mutuals under s. 628.601, and the self-insurers under this chapter, which assessments are due and paid quarterly at the same time and in addition to the assessments provided in s. 440.51. Another source of revenue for the fund is a transfer of funds in the form of a loan from the Workers' Compensation Administration Trust Fund. According to Comptroller data, receipts to this fund for FY 1998-99 were \$210,624,000.55.

B. EFFECT OF PROPOSED CHANGES:

This bill re-creates the trust fund without modification.

III. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT:

This legislation has no fiscal impact on state agencies or state funds, on local governments as a whole or on the private sector. It simply re-creates, without modification, an existing state trust fund and continues the current use of the fund.

IV. COMMENTS:

None.

V. AMENDMENTS OR COMMITTEE SUBSTITUTE CHANGES:

None.

VI. SIGNATURES:

COMMITTEE ON TRANSPORTATION AND ECONOMIC DEVELOPMENT  
APPROPRIATIONS:

Prepared by:

Staff Director:

Sarah E. Spector

Eliza Hawkins

Loretta Jones Darity

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**FINAL ANALYSIS PREPARED BY THE COMMITTEE ON TRANSPORTATION &  
ECONOMIC DEVELOPMENT APPROPRIATIONS**

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