



Finance and Tax Committee

Thursday, January 14, 2016

1:00 p.m. – 3:30 p.m.

Morris Hall

ACTION PACKET

COMMITTEE MEETING REPORT

Finance & Tax Committee

1/14/2016 1:00:00PM

Location: Morris Hall (17 HOB)

Summary:

Finance & Tax Committee

Thursday January 14, 2016 01:00 pm

HB 37	Favorable With Committee Substitute	Yeas: 14	Nays: 0
HB 301	Favorable	Yeas: 13	Nays: 1
CS/HB 467	Favorable With Committee Substitute	Yeas: 14	Nays: 0
HB 565	Favorable	Yeas: 15	Nays: 0

Committee meeting was reported out: Thursday, January 14, 2016 2:31:46PM

COMMITTEE MEETING REPORT

Finance & Tax Committee

1/14/2016 1:00:00PM

Location: Morris Hall (17 HOB)

Attendance:

	<i>Present</i>	<i>Absent</i>	<i>Excused</i>
Matt Gaetz (Chair)	X		
Frank Artiles	X		
Lori Berman			X
Randolph Bracy	X		
Jason Brodeur	X		
Matt Caldwell	X		
Robert Cortes	X		
Jay Fant	X		
Jared Moskowitz			X
Ray Rodrigues	X		
José Rodríguez	X		
Hazelle Rogers	X		
Richard Stark	X		
Jennifer Sullivan	X		
John Tobia	X		
Jay Trumbull	X		
Charles Van Zant	X		
Ritch Workman			X
Totals:	15	0	3

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COMMITTEE MEETING REPORT

Finance & Tax Committee

1/14/2016 1:00:00PM

Location: Morris Hall (17 HOB)

HB 37 : Direct Primary Care

Favorable With Committee Substitute

	Yea	Nay	No Vote	Absentee Yea	Absentee Nay
Frank Artiles	X				
Lori Berman			X		
Randolph Bracy	X				
Jason Brodeur	X				
Matt Caldwell	X				
Robert Cortes	X				
Jay Fant	X				
Jared Moskowitz			X		
Ray Rodrigues	X				
José Rodríguez	X				
Hazelle Rogers	X				
Richard Stark	X				
Jennifer Sullivan	X				
John Tobia			X		
Jay Trumbull	X				
Charles Van Zant	X				
Ritch Workman			X		
Matt Gaetz (Chair)	X				
Total Yeas: 14		Total Nays: 0			

Appearances:

Mary Thomas (Lobbyist) - Proponent
Florida Medical Association
Assistant General Counsel
1430 Piedmont Drive East
Tallahassee FL 32308
Phone: 850-224-6964

Chris Nuland (Lobbyist) - Proponent
Florida Chapter, American College of Physicians
1000 Riverside Avenue
Jacksonville FL 32204
Phone: 904-233-3051

Melissa Fause (Lobbyist) - Proponent
Americans for Prosperity
Policy Analyst
200 West College Avenue #900
Tallahassee FL 32308
Phone: 850-408-1218

Committee meeting was reported out: Thursday, January 14, 2016 2:31:46PM

Amendment No.1

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED	<u> </u>	(Y/N)
ADOPTED AS AMENDED	<u> </u>	(Y/N)
ADOPTED W/O OBJECTION	<u>✓</u>	(Y/N)
FAILED TO ADOPT	<u> </u>	(Y/N)
WITHDRAWN	<u> </u>	(Y/N)
OTHER	<u> </u>	

1 Committee/Subcommittee hearing bill: Finance & Tax Committee
 2 Representative Cortes, B. offered the following:

Amendment

5 Remove lines 72-75 and insert:

6 (i) State that the agreement does not qualify as minimum
 7 essential coverage to avoid paying the penalty by satisfying the
 8 individual shared responsibility provision of the Patient
 9 Protection and Affordable Care Act pursuant to 26 U.S.C. s.
 10 5000A. The agreement must also state that to avoid paying the
 11 penalty for not having minimum essential coverage, the patient
 12 will be required to purchase a companion catastrophic
 13 comprehensive care policy that meets the requirements of the
 14 Patient Protection and Affordable Care Act.



Committee on

FINANCE & TAX

Date

1/14/16

Action

adopted w/o

HOUSE AMENDMENT FOR DRAFTING PURPOSES ONLY

(may be used in Committee, but not on House Floor)

Amendment No. 2

Bill No. HR 37

(For filing with the Clerk, Committee and Member Amendments **must** be prepared on computer)

Representative(s)/The Committee on

HAZELLE ROGERS

offered the following amendment:

Amendment

on page 3, line 56-58,

Remove lines 56-58 and insert:

(c) Allow a party to terminate the Agreement
by a minimum 60 Days written notice
to the other party or as specified
in the agreement if more than
60 Days.

COMMITTEE MEETING REPORT

Finance & Tax Committee

1/14/2016 1:00:00PM

Location: Morris Hall (17 HOB)

HB 301 : Property Prepared for Tax-Exempt Use

Favorable

	<i>Yea</i>	<i>Nay</i>	<i>No Vote</i>	<i>Absentee Yea</i>	<i>Absentee Nay</i>
Frank Artiles	X				
Lori Berman			X		
Randolph Bracy		X			
Jason Brodeur	X				
Matt Caldwell	X				
Robert Cortes	X				
Jay Fant	X				
Jared Moskowitz			X		
Ray Rodrigues	X				
José Rodríguez	X				
Hazelle Rogers	X				
Richard Stark	X				
Jennifer Sullivan	X				
John Tobia			X		
Jay Trumbull	X				
Charles Van Zant	X				
Ritch Workman			X		
Matt Gaetz (Chair)	X				
Total Yeas: 13		Total Nays: 1			

Appearances:

Cleaver, Martha (Lobbyist) - Proponent
 Florida Association of Property Appraisers, Inc
 PO Box 11275
 Tallahassee FL 32302-1275
 Phone: (850)491-1945

Pitts, Brian - Information Only
 Justice-2-Jesus
 1119 Newton Ave. S.
 St. Petersburg FL 33705
 Phone: 727-897-9291

Committee meeting was reported out: Thursday, January 14, 2016 2:31:46PM

COMMITTEE MEETING REPORT

Finance & Tax Committee

1/14/2016 1:00:00PM

Location: Morris Hall (17 HOB)

CS/HB 467 : Insurance Guaranty Association Assessments

Favorable With Committee Substitute

	<i>Yea</i>	<i>Nay</i>	<i>No Vote</i>	<i>Absentee Yea</i>	<i>Absentee Nay</i>
Frank Artiles	X				
Lori Berman			X		
Randolph Bracy	X				
Jason Brodeur	X				
Matt Caldwell	X				
Robert Cortes	X				
Jay Fant	X				
Jared Moskowitz			X		
Ray Rodrigues	X				
José Rodríguez	X				
Hazelle Rogers	X				
Richard Stark	X				
Jennifer Sullivan	X				
John Tobia			X		
Jay Trumbull	X				
Charles Van Zant	X				
Ritch Workman			X		
Matt Gaetz (Chair)	X				
Total Yeas: 14		Total Nays: 0			

Appearances:

Reyes, Robert (Lobbyist) - Proponent
Florida Worker's Compensation Insurance Guaranty Association
1425 E Piedmont Dr Ste 201-B
Tallahassee FL 32308
Phone: (850)509-1802

Johnson, Carolyn (Lobbyist) - Proponent
Florida Chamber of Commerce
Policy Directpr
136 S Bronough Street
Tallahassee FL 32311
Phone: 850-521-1235

Committee meeting was reported out: Thursday, January 14, 2016 2:31:46PM

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. CS/HB 467 (2016)

Amendment No. 1

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED	___	(Y/N)
ADOPTED AS AMENDED	___	(Y/N)
ADOPTED W/O OBJECTION	<input checked="" type="checkbox"/>	(Y/N)
FAILED TO ADOPT	___	(Y/N)
WITHDRAWN	___	(Y/N)
OTHER	_____	

1 Committee/Subcommittee hearing bill: Finance & Tax Committee
 2 Representative Broxson offered the following:

4 **Amendment (with title amendment)**

5 Remove lines 48-132 and insert:

6 (b) Member insurers shall collect surcharges at a uniform
 7 percentage rate on new and renewal policies issued and effective
 8 during the period of 12 months beginning on January 1, April 1,
 9 July 1, or October 1, whichever is the first day of the
 10 following calendar quarter as specified in an order issued by
 11 the office directing insurers to pay an assessment to the
 12 association. The surcharge may not begin until 90 days after the
 13 board of directors certifies the assessment.

14 ~~2. Beginning July 1, 1997, assessments levied against~~
 15 ~~self insurance funds shall not exceed in any calendar year more~~
 16 ~~than 1.50 percent of that self insurance fund's net direct~~
 17 ~~written premiums in this state for workers' compensation~~

Amendment No. 1

18 ~~insurance during the calendar year next preceding the date of~~
19 ~~such assessments.~~

20 ~~3. Beginning July 1, 2003, assessments levied against~~
21 ~~insurers and self insurance funds pursuant to this paragraph are~~
22 ~~computed and levied on the basis of the full policy premium~~
23 ~~value on the net direct premiums written in the state for~~
24 ~~workers' compensation insurance during the calendar year next~~
25 ~~preceding the date of the assessment without taking into account~~
26 ~~any applicable discount or credit for deductibles. Insurers and~~
27 ~~self insurance funds must report premiums in compliance with~~
28 ~~this subparagraph.~~

29 ~~(b) Assessments shall be included as an appropriate factor~~
30 ~~in the making of rates.~~

31 ~~(c)1. Effective July 1, 1999, If assessments otherwise~~
32 ~~authorized in paragraph (a) are insufficient to make all~~
33 ~~payments on reimbursements then owing to claimants in a calendar~~
34 ~~year, then upon certification by the board, the office~~
35 ~~department shall levy additional assessments of up to 1.5~~
36 ~~percent of the insurer's net direct written premiums in this~~
37 ~~state during the calendar year next preceding the date of such~~
38 ~~assessments against insurers to secure the necessary funds.~~

39 ~~(d) The association may use an installment method to~~
40 ~~require the insurer to remit the assessment as premium is~~
41 ~~written or may require the insurer to remit the assessment to~~
42 ~~the association before collecting the policyholder surcharge. If~~
43 ~~the assessment is remitted before the surcharge is collected,~~

Amendment No. 1

44 the assessment remitted must be based on an estimate of the
45 assessment due based on the proportion of each insurer's net
46 direct written premium in this state for the preceding calendar
47 year as described in paragraph (a) and adjusted following the
48 end of the 12-month period during which the assessment is
49 levied.

50 1. If the association elects to use the installment
51 method, the office may, in the order levying the assessment on
52 insurers, specify that the assessment is due and payable
53 quarterly as premium is written throughout the assessment year.
54 Insurers shall collect surcharges at a uniform percentage rate
55 specified by order as described in paragraph (b). Insurers are
56 not required to advance funds if the association and the office
57 elect to use the installment option. Assessments levied under
58 this subparagraph are paid after policy surcharges are
59 collected, and the recognition of assets is based on actual
60 premium written offset by the obligation to the association.

61 2. If the association elects to require insurers to remit
62 the assessment before surcharging the policyholder, the
63 following shall apply:

64 a. The levy order shall provide each insurer so assessed
65 at least 30 days written notice of the date the initial
66 assessment payment is due and payable by the insurer.

67 b. Insurers shall collect surcharges at a uniform
68 percentage rate specified by the order, as described in
69 paragraph (b).

Amendment No. 1

70 c. Assessments levied under this subparagraph are paid
71 before policy surcharges are billed and result in a receivable
72 for policy surcharges to be billed in the future. The amount of
73 billed surcharges, to the extent it is likely that it will be
74 realized, meets the definition of an admissible asset as
75 specified in the National Association of Insurance
76 Commissioners' Statement of Statutory Accounting Principles No.
77 4. The asset shall be established and recorded separately from
78 the liability. If an insurer is unable to fully recoup the
79 amount of the assessment, the amount recorded as an asset shall
80 be reduced to the amount reasonably expected to be recouped.

81 3. Insurers must submit a reconciliation report to the
82 association within 120 days after the end of the 12-month
83 assessment period and annually thereafter for a period of three
84 years. The report must indicate the amount of the initial
85 payment or installment payments made to the association and the
86 amount of written premium pursuant to paragraph (a) for the
87 assessment year. If the insurer's reconciled assessment
88 obligation is more than the amount paid to the association, the
89 insurer shall pay the excess surcharges collected to the
90 association. If the insurer's reconciled assessment obligation
91 is less than the initial amount paid to the association, the
92 association shall credit the insurer that amount against future
93 assessments.

94 -----
95 -----

Amendment No. 1

96 | T I T L E A M E N D M E N T

97 | Remove lines 3-7 and insert:

98 | assessments; amending s. 631.914, F.S.; requiring the Office of
99 | Insurance Regulation to levy assessments for certain purposes;
100 | revising and providing requirements for the levy of assessments;
101 | requiring insurers and self-insurance funds to report certain
102 | premiums; requiring insurers to collect policy surcharges and
103 | pay

COMMITTEE MEETING REPORT

Finance & Tax Committee

1/14/2016 1:00:00PM

Location: Morris Hall (17 HOB)

HB 565 : Redevelopment Trust Fund

Favorable

	<i>Yea</i>	<i>Nay</i>	<i>No Vote</i>	<i>Absentee Yea</i>	<i>Absentee Nay</i>
Frank Artiles	X				
Lori Berman			X		
Randolph Bracy	X				
Jason Brodeur	X				
Matt Caldwell	X				
Robert Cortes	X				
Jay Fant	X				
Jared Moskowitz			X		
Ray Rodrigues	X				
José Rodríguez	X				
Hazelle Rogers	X				
Richard Stark	X				
Jennifer Sullivan	X				
John Tobia	X				
Jay Trumbull	X				
Charles Van Zant	X				
Ritch Workman			X		
Matt Gaetz (Chair)	X				
Total Yeas: 15		Total Nays: 0			

Appearances:

Pitts, Brian - Information Only
 Trustee-Justice-2-Jesus
 1119 Newton Avenue South
 S. Petersburg Florida 33705
 Phone: 727-897-9291

McGhee, Darrick (Lobbyist) - Proponent
 Halifax Health
 537 East Park Avenue
 Tallahassee FL 32301
 Phone: (850)321-6489

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