The Committee on Banking and Insurance (Brandes) recommended the following:

**Senate Amendment (with title amendment)**

Between lines 161 and 162 insert:

Section 4. Effective July 1, 2020, paragraph (d) of subsection (1) of section 440.10, Florida Statutes, is amended to read:

440.10 Liability for compensation.—

(1)

(d)1. If a contractor becomes liable for the payment of
compensation to the employees of a subcontractor who has failed
to secure such payment in violation of s. 440.38, the contractor
or other third-party payor shall be entitled to recover from the
subcontractor all benefits paid or payable plus interest unless
the contractor and subcontractor have agreed in writing that the
contractor will provide coverage.

2. If a contractor or third-party payor becomes liable for
the payment of compensation to the corporate officer of a
subcontractor who is engaged in the construction industry and
has elected to be exempt from the provisions of this chapter,
but whose election is invalid, the contractor or third-party
payor may recover from the claimant or corporation all benefits
paid or payable plus interest, unless the contractor and the
subcontractor have agreed in writing that the contractor will
provide coverage.

3. If a contractor or subcontractor and an employee leasing
company are operating pursuant to an arrangement for employee
leasing as defined in s. 468.520(4) and workers’ compensation
insurance is provided by the employee leasing company to the
leased employees, a person is deemed an employee of the employee
leasing company for purposes of workers’ compensation insurance,
unless the contractor or subcontractor has secured additional
workers’ compensation coverage applicable to the employee,
effective upon the earliest of the following:
   a. The hiring of the person by the contractor or
      subcontractor.
   b. The commencement of work by the person for the
      contractor or subcontractor.
   c. The hiring of the person directly by the employee
leasing company.

And the title is amended as follows:

Delete line 15 and insert:

requirements; amending s. 440.10, F.S.; specifying, under certain circumstances and for purposes of workers’ compensation insurance, when a person is deemed an employee of an employee leasing company operating in an arrangement with a contractor or subcontractor; amending s. 440.381, F.S.; revising a