

Regular Session, 2010

HOUSE BILL NO. 873

BY REPRESENTATIVE PATRICIA SMITH

WORKERS COMPENSATION: Provides relative to workers' compensation

1 AN ACT

2 To amend and reenact R.S. 23:1170(A), relative to workers' compensation coverage; to
3 require an increase in penalties for employers who fail to secure coverage; and to
4 provide for related matters.

5 Be it enacted by the Legislature of Louisiana:

6 Section 1. R.S. 23:1170(A) is hereby amended and reenacted to read as follows:

7 §1170. Penalty for failure to secure workers' compensation insurance; assessment
8 and collection

9 A. In addition to any other penalty prescribed by law, any employer who
10 fails to secure compensation required by R.S. 23:1168 shall be liable for a civil
11 penalty, to be assessed by the ~~secretary of labor~~ executive director or his designee,
12 of not more than ~~two~~ five hundred ~~fifty~~ dollars per employee for a first offense, and
13 liable for a civil penalty of not more than ~~five hundred~~ one thousand dollars per
14 employee for a second or subsequent offense. ~~However~~ ; however, the maximum
15 civil penalty shall not exceed ~~ten~~ twenty thousand dollars for all related series of
16 violations. All civil penalties collected shall be deposited in the Office of Workers'
17 Compensation Administrative Fund established in R.S. 23:1291.1(E).

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DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

Patricia Smith

HB No. 873

Abstract: Provides for an increase in penalties for employers who fail to secure workers' comp. coverage for their employees.

Present law provides that any employer who fails to secure workers' comp. coverage as required by present law shall be liable for penalties.

Present law provides a first offense penalty for an employer is \$250, second offense \$500, and all related series offenses have a maximum civil penalty of \$20,000.

Proposed law provides for an increase in penalties for employers who fail to secure coverage for their employees; provides for an increase from \$250 to \$500 for a first offense, from \$500 to \$1,000 for a second offense and an increase in the maximum civil penalty from \$10,000 to \$20,000 for all related series violations.

(Amends R.S. 23:1170(A))