

HOUSE BILL 2609
By West

AN ACT to amend Tennessee Code Annotated, Title 50, Chapter 6 and Title 56, Chapter 5, relative to workers' compensation insurance rates.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Title 56, Chapter 5, Part 3, is amended by adding a new section thereto, as follows:

Section 56-5-323. (a) Notwithstanding any provision of law to the contrary, risk factors for employers obtaining workers' compensation insurance provided in the voluntary market shall be based on the employer's claim history, including past losses and expense experiences of such employer. Risk factors shall not be based upon the industry classification of the employer if such employer's claim history, in both number of claims and expense of claims, is in the lowest twenty-five percent (25%) of all employers in such industry classification in this state.

(b) The provisions of this section shall only apply to employers who have had workers' compensation coverage for the same employment activities for over five (5) years.

SECTION 2. This act shall take effect upon becoming a law, the public welfare requiring it.