

Committee on Judiciary

CS/CS/HB 1147 — Office of Attorney General

by Judiciary Committee; Justice Appropriations Subcommittee; and Rep. Fitzenhagen (CS/SB 1464 by Appropriations Committee and Senator Lee)

This bill makes changes to laws enforced by or governing the Office of the Attorney General, also known as the Department of Legal Affairs. These changes:

- Reduce the amount of funds that revert from the Legal Affairs Revolving Trust Fund to the General Revenue Fund at the end of a fiscal year. Under existing law, amounts in excess of 3 times the combined budgets for the antitrust and racketeering sections of the Department of Legal Affairs revert to the General Revenue Fund. Under the bill, trust fund will also retain 3 times the amount of the budget for the department's consumer protection section.
- Correct a discrepancy in statute and specify that rewards for reporting Medicaid fraud to the Florida Department of Law Enforcement be paid from the Operating Trust Fund.
- Incorporate current federal consumer protection laws and regulations of the Federal Trade Commission into the Deceptive and Unfair Trade Practices Act, effectively specifying additional deceptive and unfair trade practices.
- Allow final written notification of the need to repair a vehicle that does not conform to the manufacturer's warranty to be made by any method providing a delivery confirmation.
- Require that, upon receipt from a manufacturer of a procedure for handling consumer complaints, the Department of Legal Affairs notify the manufacturer of any deficiencies in the procedure, certify the procedure for a period not to exceed 1 year, or deny the certification and state the reasons for the denial.
- Allow a notice sent by the Department of Legal Affairs which rejects a motor vehicle dispute for arbitration be sent by any method by deleting a requirement that the notice be sent by registered mail.
- Allow the Attorney General discretion as to whether to file an action based on a complaint involving discriminatory housing practices.

These provisions became law upon approval by the Governor on July 1, 2013.

Vote: Senate 36-0; House 114-0