

1 A bill to be entitled
2 An act relating to motor vehicle insurance;
3 requiring the Department of Financial Services
4 and the Office of Insurance Regulation to
5 conduct a comprehensive review of the Florida
6 Motor Vehicle No-Fault Law; requiring a report
7 to the Governor and the Legislature; requiring
8 the state attorneys in certain judicial
9 circuits to provide information to the
10 department concerning violations of the Florida
11 Motor Vehicle No-Fault Law; requiring the
12 department to collect information relating to
13 cases of insurance fraud with respect to such
14 law; requiring that the department report such
15 information to the Governor and the
16 Legislature; repealing s. 19 of chapter
17 2003-411, Laws of Florida; abrogating the
18 repeal of the Florida Motor Vehicle No-Fault
19 Law as provided for in that section; reenacting
20 ss. 627.730, 627.731, 627.732, 627.733,
21 627.734, 627.736, 627.737, 627.739, 627.7401,
22 627.7403, and 627.7405, F.S., the Florida Motor
23 Vehicle No-Fault Law, and providing for future
24 review and repeal; providing appropriations and
25 authorizing additional positions; providing an
26 effective date.

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28 Be It Enacted by the Legislature of the State of Florida:

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30 Section 1. By October 1, 2010, the Department of
31 Financial Services and the Office of Insurance Regulation, in

1 consultation with auto insurers, plaintiff's attorneys,
2 hospitals, and health care providers, shall conduct a
3 comprehensive review of the Florida Motor Vehicle No-Fault Law
4 and its effect on insurance rates, auto insurance
5 policyholders, health care providers, and the trial court
6 system. The Legislature may not reenact the Florida Motor
7 Vehicle No-Fault Law after the 2011 regular legislative
8 session if significant reforms are not made to solve the
9 issues identified by the review. The report shall be provided
10 to the Executive Office of the Governor, the President of the
11 Senate, and the Speaker of the House of Representatives.

12 Section 2. (1) By January 1 of each year, the state
13 attorney in each judicial circuit receiving funds from the
14 Department of Financial Services for the purposes of enforcing
15 compliance with the Florida Motor Vehicle No-Fault Law shall
16 provide to the department in a uniform manner the number of
17 referrals, convictions, victims, and amount of restitution
18 ordered and collected for cases prosecuted during the prior
19 state fiscal year. In addition, for persons who are
20 adjudicated guilty, the information must include the number of
21 months of confinement and associated months of probation to
22 which such persons were sentenced.

23 (2) The Department of Financial Services shall collect
24 information relating to cases of insurance fraud occurring
25 during the prior state fiscal year which involve the Florida
26 Motor Vehicle No-Fault Law, including, but not limited to, the
27 total number of initial referrals received, cases opened,
28 cases presented for prosecution, cases closed, and convictions
29 resulting from cases presented for prosecution by the Division
30 of Insurance Fraud.

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1 (3) By February 15, 2008, and each year thereafter,
2 the Department of Financial Services shall provide a report
3 containing the information described in subsections (1) and
4 (2) to the Executive Office of the Governor, the President of
5 the Senate, and the Speaker of the House of Representatives.

6 Section 3. Effective January 1, 2012, sections
7 627.730, 627.731, 627.732, 627.733, 627.734, 627.736, 627.737,
8 627.739, 627.7401, 627.7403, and 627.7405, Florida Statutes,
9 constituting the Florida Motor Vehicle No-Fault Law, are
10 repealed unless reviewed and reenacted by the Legislature
11 before that date.

12 Section 4. Section 19 of chapter 2003-411, Laws of
13 Florida, is repealed, and sections 627.730, 627.731, 627.732,
14 627.733, 627.734, 627.736, 627.737, 627.739, 627.7401,
15 627.7403, and 627.7405, Florida Statutes, are reenacted and
16 shall not stand repealed on October 1, 2007, as provided for
17 in that section.

18 Section 5. The sum of \$2,398,278 is appropriated from
19 the Insurance Regulatory Trust Fund to the Department of
20 Financial Services and 30 full-time equivalent positions with
21 1,387,860 in associated salary rate are authorized as senior
22 insurance fraud investigators in the Division of Insurance
23 Fraud of the Department of Financial Services. Personnel
24 appointed to these positions must be certified law enforcement
25 officers. These positions shall be included within the
26 certified law enforcement collective bargaining unit and shall
27 have a minimum annual salary of \$46,262.

28 Section 6. The sum of \$408,000 is appropriated from
29 the Insurance Regulatory Trust Fund to the Department of
30 Financial Services for purposes of enforcing the Florida Motor
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1 Vehicle No-Fault Law in Miami, Orlando, and Tampa. These funds
2 shall be transferred to the Justice Administration Commission.

3 Section 7. The sum of \$408,000 is appropriated from
4 the Grants and Donations Trust Fund to the Justice
5 Administration Commission and six full-time equivalent
6 positions with 270,000 in associated salary rate are
7 authorized for purposes of enforcing the Florida Motor Vehicle
8 No-Fault Law in Miami, Orlando, and Tampa.

9 Section 8. This act shall take effect July 1, 2007.

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