

By Senator Geller

31-342-07

1                                   A bill to be entitled  
2           An act relating to insurance regulation;  
3           creating s. 20.131, F.S.; recreating a  
4           Department of Insurance; providing for its head  
5           to be the Insurance Commissioner; providing for  
6           assistants and deputies; providing for internal  
7           organization; assigning duties to the Division  
8           of Insurance Fraud; providing a contingent  
9           effective date.

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

Section 1. Section 20.131, Florida Statutes, is created to read:

20.131 Department of Insurance.--There is created a Department of Insurance.

(1) The head of the Department of Insurance is the Insurance Commissioner.

(2) The following divisions of the Department of Insurance are established:

- (a) Division of Insurance Regulation.
- (b) Division of Insurance Consumer Services.
- (c) Division of Agents and Agencies Services.
- (d) Division of Rehabilitation and Liquidation.
- (e) Division of Risk Management.
- (f) Division of State Fire Marshal.
- (g) Division of Insurance Fraud.
- (h) Division of Administration.
- (i) Division of Funeral and Cemetery Services.
- (j) Division of Legal Services.
- (k) Division of Workers' Compensation.

1           (3)(a) The department shall have an assistant  
2 insurance commissioner, three deputies, and a general counsel.  
3 A deputy may also serve as general counsel.

4           (b) The Division of Insurance Regulation shall have at  
5 least two deputy directors. All other divisions shall have a  
6 director and may have an assistant director. The department  
7 may change the name of any division, by rule, if the name  
8 reflects the respective subject area of the division.

9           (4) The Division of Insurance Fraud shall enforce s.  
10 626.989. The division shall establish a Bureau of Workers'  
11 Compensation Insurance Fraud for the sole purpose of enforcing  
12 the provisions of chapter 440 which, if violated, would result  
13 in the commission of fraudulent insurance acts.

14           (5) A Bureau of Financial and Support Services is  
15 created within the Division of Administration.

16           Section 2. This act shall take effect January 6, 2009,  
17 except that it shall not take effect unless SJR \_\_\_\_\_ or  
18 similar legislation creating the office of Insurance  
19 Commissioner is adopted at the 2007 Regular Session of the  
20 Legislature or an extension thereof and is approved by the  
21 electors.

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24 SENATE SUMMARY

25 Creates a Department of Insurance, the head of which will  
26 be the Insurance Commissioner, conditioned upon the  
27 electors' approval of a proposed constitutional amendment  
28 creating the office of Insurance Commissioner.  
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