

Amendment No.

CHAMBER ACTION

Senate

House

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1 Representative Simmons offered the following:

3 **Amendment (with title amendment)**

4 Remove everything after the enacting clause and insert:

5 Section 1. By October 1, 2010, the Department of Financial
6 Services and the Office of Insurance Regulation, in consultation
7 with auto insurers, plaintiff's attorneys, hospitals, and health
8 care providers, shall conduct a comprehensive review of the
9 Florida Motor Vehicle No-Fault Law and its effect on insurance
10 rates, auto insurance policyholders, health care providers, and
11 the trial court system. The Legislature may not reenact the
12 Florida Motor Vehicle No-Fault Law after the 2011 regular
13 legislative session if significant reforms are not made to solve
14 the issues identified by the review. The report shall be
15 provided to the Executive Office of the Governor, the President
16 of the Senate, and the Speaker of the House of Representatives.

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

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

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

41 Section 3. Effective January 1, 2008, sections 627.730,
42 627.731, 627.732, 627.733, 627.734, 627.736, 627.737, 627.739,
43 627.7401, 627.7403, and 627.7405, Florida Statutes, constituting

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44 the Florida Motor Vehicle No-Fault Law, are repealed unless
45 reviewed and reenacted by the Legislature before that date.

46 Section 4. Section 19 of chapter 2003-411, Laws of
47 Florida, is repealed, and sections 627.730, 627.731, 627.732,
48 627.733, 627.734, 627.736, 627.737, 627.739, 627.7401, 627.7403,
49 and 627.7405, Florida Statutes, are reenacted and shall not
50 stand repealed on October 1, 2007, as provided for in that
51 section.

52 Section 5. The sum of \$2,398,278 is appropriated from the
53 Insurance Regulatory Trust Fund to the Department of Financial
54 Services and 30 full-time equivalent positions with 1,387,860 in
55 associated salary rate are authorized as senior insurance fraud
56 investigators in the Division of Insurance Fraud of the
57 Department of Financial Services. Personnel appointed to these
58 positions must be certified law enforcement officers. These
59 positions shall be included within the certified law enforcement
60 collective bargaining unit and shall have a minimum annual
61 salary of \$46,262.

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

67 Section 7. The sum of \$408,000 is appropriated from the
68 Grants and Donations Trust Fund to the Justice Administration
69 Commission and six full-time equivalent positions with 270,000
70 in associated salary rate are authorized for purposes of

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71 enforcing the Florida Motor Vehicle No-Fault Law in Miami,
72 Orlando, and Tampa.

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

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75 ===== T I T L E A M E N D M E N T =====

76 Remove the entire title and insert:

77 A bill to be entitled

78 An act relating to motor vehicle insurance; requiring the
79 Department of Financial Services and the Office of Insurance
80 Regulation to conduct a comprehensive review of the Florida
81 Motor Vehicle No-Fault Law; requiring a report to the Governor
82 and the Legislature; requiring the state attorneys in certain
83 judicial circuits to provide information to the department
84 concerning violations of the Florida Motor Vehicle No-Fault Law;
85 requiring the department to collect information relating to
86 cases of insurance fraud with respect to such law; requiring
87 that the department report such information to the Governor and
88 the Legislature; repealing s. 19 of chapter 2003-411, Laws of
89 Florida; abrogating the repeal of the Florida Motor Vehicle No-
90 Fault Law as provided for in that section; reenacting ss.
91 627.730, 627.731, 627.732, 627.733, 627.734, 627.736, 627.737,
92 627.739, 627.7401, 627.7403, and 627.7405, F.S., the Florida
93 Motor Vehicle No-Fault Law, and providing for future review and
94 repeal; providing appropriations and authorizing additional
95 positions; providing an effective date.

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