

Amendment No.

CHAMBER ACTION

Senate

House

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1 Representative Proctor offered the following:

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3 **Amendment (with title amendment)**

4 Remove lines 3271-3679 and insert:

5 Section 25. Section 627.7065, Florida Statutes, is amended
6 to read:

7 627.7065 Database of information relating to sinkholes;
8 the Department of Financial Services and the Department of
9 Environmental Protection.—

10 (1) The Legislature finds that there has been a dramatic
11 increase in the number of sinkholes and insurance claims for
12 sinkhole damage in the state during the past 10 years.

13 Accordingly, the Legislature recognizes the need to track
14 current and past sinkhole activity and to make the information
15 available for prevention and remediation activities. The

16 Legislature further finds that the Florida Geological Survey of
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17 the Department of Environmental Protection has created a partial
18 database of some sinkholes identified in Florida, although the
19 database is not reflective of all sinkholes or insurance claims
20 for sinkhole damage. The Legislature determines that creating an
21 ~~a complete~~ electronic database of sinkhole claims activity
22 serves an important purpose in protecting the public and in
23 studying property claims activities in the insurance industry.

24 (2) The Department of Financial Services, including the
25 employee of the Division of Consumer Services designated as the
26 primary contact for consumers on issues relating to sinkholes,
27 and the Office of the Insurance Consumer Advocate shall consult
28 with the Florida Geological Survey and the Department of
29 Environmental Protection to implement a statewide automated
30 database of property insurance sinkhole claims ~~sinkholes and~~
31 ~~related activity identified~~ in the state.

32 (3) Representatives of the Department of Financial
33 Services, with the agreement of the Department of Environmental
34 Protection, shall determine the form and content of the
35 database. ~~The content may include standards for reporting and~~
36 ~~investigating sinkholes for inclusion in the database and~~
37 ~~requirements for insurers to report to the departments the~~
38 ~~receipt of claims involving sinkhole loss and other similar~~
39 ~~activities.~~ The Department of Financial Services shall ~~may~~
40 require insurers to report only the street address, if
41 available, or other identifying information maintained by the
42 insurer relating to the insured property for any insured
43 property subject to a sinkhole claim for inclusion in the
44 database ~~present and past data of sinkhole claims.~~ The database

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45 ~~also may include information of damage due to ground settling~~
46 ~~and other subsidence activity.~~

47 (4) The Department of Financial Services may manage the
48 database or may contract for its management and maintenance. The
49 Department of Environmental Protection shall investigate reports
50 of sinkhole activity and include its findings and investigations
51 in the database.

52 ~~(5) The Department of Environmental Protection, in~~
53 ~~consultation with the Department of Financial Services, shall~~
54 ~~present a report of activities relating to the sinkhole~~
55 ~~database, including recommendations regarding the database and~~
56 ~~similar matters, to the Governor, the Speaker of the House of~~
57 ~~Representatives, the President of the Senate, and the Chief~~
58 ~~Financial Officer by December 31, 2005. The report may consider~~
59 ~~the need for the Legislature to create an entity to study the~~
60 ~~increase in sinkhole activity in the state and other similar~~
61 ~~issues relating to sinkhole damage, including recommendations~~
62 ~~and costs for staffing the entity. The report may include other~~
63 ~~information, as appropriate.~~

64 (5)(6) The Department of Financial Services, in
65 consultation with the Department of Environmental Protection,
66 may adopt rules to implement this section.

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

72 Remove lines 229-243 and insert:

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73 and insured; amending s. 627.7065, F.S.; revising requirements
74 for agency maintenance of a statewide database of property
75 insurance sinkhole claims; deleting reporting requirements of
76 the Department of Environmental Protection;