

By Senator Hays

20-00890-11

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1                   A bill to be entitled  
2           An act relating to the powers of the consumer  
3           advocate; amending s. 627.0613, F.S.; deleting a power  
4           of the consumer advocate relating to the preparation  
5           of an annual report card grading personal residential  
6           property insurers; providing an effective date.

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

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10           Section 1. Section 627.0613, Florida Statutes, is amended  
11           to read:

12           627.0613 Consumer advocate.—The Chief Financial Officer  
13           must appoint a consumer advocate who must represent the general  
14           public of the state before the department and the office. The  
15           consumer advocate must report directly to the Chief Financial  
16           Officer, but is not otherwise under the authority of the  
17           department or of any employee of the department. The consumer  
18           advocate has such powers as are necessary to carry out the  
19           duties of the office of consumer advocate, including, but not  
20           limited to, the powers to:

21           (1) Recommend to the department or office, by petition, the  
22           commencement of any proceeding or action; appear in any  
23           proceeding or action before the department or office; or appear  
24           in any proceeding before the Division of Administrative Hearings  
25           relating to subject matter under the jurisdiction of the  
26           department or office.

27           (2) Have access to and use of all files, records, and data  
28           of the department or office.

29           (3) Examine rate and form filings submitted to the office,

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30 hire consultants as necessary to aid in the review process, and  
31 recommend to the department or office any position deemed by the  
32 consumer advocate to be in the public interest.

33 ~~(4) Prepare an annual report card for each authorized~~  
34 ~~personal residential property insurer, on a form and using a~~  
35 ~~letter-grade scale developed by the commission by rule, which~~  
36 ~~grades each insurer based on the following factors:~~

37 ~~(a) The number and nature of consumer complaints, as a~~  
38 ~~market share ratio, received by the department against the~~  
39 ~~insurer.~~

40 ~~(b) The disposition of all complaints received by the~~  
41 ~~department.~~

42 ~~(c) The average length of time for payment of claims by the~~  
43 ~~insurer.~~

44 ~~(d) Any other factors the commission identifies as~~  
45 ~~assisting policyholders in making informed choices about~~  
46 ~~homeowner's insurance.~~

47 (4)~~(5)~~ Prepare an annual budget for presentation to the  
48 Legislature by the department, which budget must be adequate to  
49 carry out the duties of the office of consumer advocate.

50 Section 2. This act shall take effect July 1, 2011.