



922322

LEGISLATIVE ACTION

Senate	.	House
Comm: WD	.	
04/13/2011	.	
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The Committee on Banking and Insurance (Fasano) recommended the following:

**Senate Amendment (with title amendment)**

Delete lines 70 - 359  
and insert:

(h) In all actions involving the Florida Motor Vehicle No-Fault Law, ss. 627.730-627.7407, where arbitration of an existing controversy is agreed to pursuant to s. 682.02 and the arbitration decision is challenged.

Section 2. Subsection (3) is added to section 627.4137, Florida Statutes, to read:

627.4137 Disclosure of certain information required.-

(3) Any request made to a self-insured corporation pursuant



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13 to this section shall be sent by certified mail to the  
14 registered agent of the disclosing entity.

15 Section 3. Present subsections (10), (11), and (12) of  
16 section 817.234, Florida Statutes, are renumbered as subsections  
17 (11), (12), and (13), respectively, and a new subsection (10) is  
18 added to that section, to read:

19 817.234 False and fraudulent insurance claims.-

20 (10) In addition to any criminal liability, a person  
21 convicted of violating any provision of this section for the  
22 purpose of receiving insurance proceeds from a motor vehicle  
23 insurance contract is subject to a civil penalty.

24 (a) Except for a violation of subsection (9), the civil  
25 penalty shall be:

26 1. A fine up to \$5,000 for a first offense.

27 2. A fine greater than \$5,000, but not to exceed \$10,000,  
28 for a second offense.

29 3. A fine greater than \$10,000, but not to exceed \$15,000,  
30 for a third or subsequent offense.

31 (b) The civil penalty for a violation of subsection (9)  
32 must be at least \$15,000, but may not exceed \$50,000.

33 (c) The civil penalty shall be paid to the Insurance  
34 Regulatory Trust Fund within the Department of Financial  
35 Services and used by the department for the investigation and  
36 prosecution of insurance fraud.

37 (d) This subsection does not prohibit a state attorney from  
38 entering into a written agreement in which the person charged  
39 with the violation does not admit to or deny the charges but  
40 consents to payment of the civil penalty.



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

43 And the title is amended as follows:

44 Delete lines 10 - 44

45 and insert:

46 amending s. 817.234, F.S.; providing civil penalties  
47 for fraudulent insurance claims involving motor  
48 vehicle insurance; providing an effective date.