

HB 4115

2011

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

HB 4115

2011

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