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LEGISLATIVE ACTION

Senate

House

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Floor: 6/AD/2R

03/06/2012 05:31 PM

Senator Bennett moved the following:

Senate Amendment (with title amendment)

Between lines 354 and 355

insert:

Section 5. Section 626.9581, Florida Statutes, is amended to read:

626.9581 Cease and desist and penalty orders.—After the hearing provided in s. 626.9571, the department or office shall enter a final order in accordance with s. 120.569. If it is determined that the person charged has engaged in an unfair or deceptive act or practice or the unlawful transaction of insurance, the department or office shall also issue an order requiring the violator to cease and desist from engaging in such



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14 method of competition, act, or practice or the unlawful
15 transaction of insurance. Further, if the act or practice is a
16 violation of s. 626.9541, ~~or~~ s. 626.9551, or s. 627.736(11), the
17 department or office may, ~~at its discretion~~, order any one or
18 more of the following:

19 (1) Suspension or revocation of the person's certificate of
20 authority, license, or eligibility for any certificate of
21 authority or license, if he or she knew, or reasonably should
22 have known, he or she was in violation of this act. However, the
23 office must revoke the certificate of authority of an insurer
24 that violates s. 627.736(11) for at least 5 years, and all board
25 members of such insurer are prohibited from serving on the board
26 of another insurer for 5 years.

27 (2) Such other relief as may be provided under ~~in~~ the
28 insurance code.

29
30 ===== T I T L E A M E N D M E N T =====

31 And the title is amended as follows:

32 Between lines 22 and 23

33 insert:

34 amending s. 626.9581, F.S.; requiring the Department
35 of Financial Services or the Office of Insurance
36 Regulation to revoke the certificate of authority of
37 an insurer that engages in unfair trade practices
38 while providing motor vehicle personal injury
39 protection insurance;