

By the Committee on Banking and Insurance; and Senator Lee

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1                   A bill to be entitled  
2           An act relating to the organization of the Department  
3           of Financial Services; amending s. 20.121, F.S.;  
4           revising the divisions and functions of the  
5           department; authorizing the Chief Financial Officer to  
6           establish divisions, bureaus, or offices of the  
7           department; amending s. 28.2401, F.S.; providing  
8           funding from certain probate petition service charges  
9           to the Florida Clerks of Court Operations Corporation  
10          for clerk education provided by the corporation;  
11          amending s. 28.241, F.S., relating to the deposit of  
12          certain filing fees for trial and appellate  
13          proceedings, to conform provisions to changes made by  
14          the act; amending s. 28.35, F.S.; deleting a  
15          requirement that the Florida Clerks of Court  
16          Operations Corporation contract with the department  
17          for certain audits; amending s. 110.205, F.S.;  
18          exempting audit and accounting positions of the  
19          department from career service requirements; amending  
20          s. 624.26, F.S.; conforming provisions to changes made  
21          by the act; amending s. 624.307, F.S.; providing  
22          powers and duties of the department's Division of  
23          Consumer Services; authorizing the division to impose  
24          certain penalties; authorizing the department to adopt  
25          rules relating to the division; providing for  
26          construction; amending s. 624.502, F.S.; requiring  
27          that certain service of process fees be deposited into  
28          the Administrative Trust Fund; amending ss. 16.59,  
29          400.9935, 409.91212, 440.105, 440.1051, 440.12,

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30 624.521, 626.016, 626.989, 626.9891, 626.9892,  
31 626.9893, 626.9894, 626.9895, 626.99278, 627.351,  
32 627.711, 627.736, 627.7401, 631.156, 641.30, and  
33 932.7055, F.S.; conforming provisions to changes made  
34 by act; making technical changes; providing an  
35 effective date.

36  
37 Be It Enacted by the Legislature of the State of Florida:

38  
39 Section 1. Subsections (2) and (6) of section 20.121,  
40 Florida Statutes, are amended to read:

41 20.121 Department of Financial Services.—There is created a  
42 Department of Financial Services.

43 (2) DIVISIONS.—The Department of Financial Services shall  
44 consist of the following divisions and offices:

45 (a) The Division of Accounting and Auditing, ~~which shall~~  
46 ~~include the following bureau and office:~~

47 1. ~~The Bureau of Unclaimed Property.~~

48 2. ~~The Office of Fiscal Integrity which shall function as a~~  
49 ~~criminal justice agency for purposes of ss. 943.045-943.08 and~~  
50 ~~shall have a separate budget. The office may conduct~~  
51 ~~investigations within or outside this state as the bureau deems~~  
52 ~~necessary to aid in the enforcement of this section. If during~~  
53 ~~an investigation the office has reason to believe that any~~  
54 ~~criminal law of this state has or may have been violated, the~~  
55 ~~office shall refer any records tending to show such violation to~~  
56 ~~state or federal law enforcement or prosecutorial agencies and~~  
57 ~~shall provide investigative assistance to those agencies as~~  
58 ~~required.~~

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59 (b) The Division of State Fire Marshal.

60 (c) The Division of Risk Management.

61 (d) The Division of Treasury, which shall include a Bureau  
62 of Deferred Compensation responsible for administering the  
63 Government Employees Deferred Compensation Plan established  
64 under s. 112.215 for state employees.

65 (e) The Division of Criminal Investigations, which shall  
66 function as a criminal justice agency for purposes of ss.  
67 943.045-943.08 Insurance Fraud.

68 (f) The Division of Rehabilitation and Liquidation.

69 (g) The Division of Insurance Agent and Agency Services.

70 (h) The Division of Consumer Services.

71 ~~1. The Division of Consumer Services shall perform the~~  
72 ~~following functions concerning products or services regulated by~~  
73 ~~the department or by the Office of Insurance Regulation:~~

74 ~~a. Receive inquiries and complaints from consumers.~~

75 ~~b. Prepare and disseminate such information as the~~  
76 ~~department deems appropriate to inform or assist consumers.~~

77 ~~c. Provide direct assistance and advocacy for consumers who~~  
78 ~~request such assistance or advocacy.~~

79 ~~d. With respect to apparent or potential violations of law~~  
80 ~~or applicable rules by a person or entity licensed by the~~  
81 ~~department or office, report apparent or potential violations to~~  
82 ~~the office or the appropriate division of the department, which~~  
83 ~~may take such further action as it deems appropriate.~~

84 ~~e. Designate an employee of the division as primary contact~~  
85 ~~for consumers on issues relating to sinkholes.~~

86 ~~2. Any person licensed or issued a certificate of authority~~  
87 ~~by the department or by the Office of Insurance Regulation shall~~

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88 ~~respond, in writing, to the Division of Consumer Services within~~  
89 ~~20 days after receipt of a written request for information from~~  
90 ~~the division concerning a consumer complaint. The response must~~  
91 ~~address the issues and allegations raised in the complaint. The~~  
92 ~~division may impose an administrative penalty for failure to~~  
93 ~~comply with this subparagraph of up to \$2,500 per violation upon~~  
94 ~~any entity licensed by the department or the office and \$250 for~~  
95 ~~the first violation, \$500 for the second violation, and up to~~  
96 ~~\$1,000 per violation thereafter upon any individual licensed by~~  
97 ~~the department or the office.~~

98 ~~3. The department may adopt rules to administer this~~  
99 ~~paragraph.~~

100 ~~4. The powers, duties, and responsibilities expressed or~~  
101 ~~granted in this paragraph do not limit the powers, duties, and~~  
102 ~~responsibilities of the Department of Financial Services, the~~  
103 ~~Financial Services Commission, the Office of Insurance~~  
104 ~~Regulation, or the Office of Financial Regulation set forth~~  
105 ~~elsewhere in the Florida Statutes.~~

106 ~~(i) The Division of Workers' Compensation.~~

107 ~~(j) The Division of Administration.~~

108 ~~(k) The Division of Legal Services.~~

109 ~~(l) The Division of Information Systems.~~

110 ~~(j)~~ (m) The Office of Insurance Consumer Advocate.

111 ~~(k)~~ (n) The Division of Funeral, Cemetery, and Consumer  
112 Services.

113 ~~(l)~~ (o) The Division of Public Assistance Fraud.

114  
115 The Chief Financial Officer may establish any other division,  
116 bureau, or office of the department that he or she deems

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117 necessary to promote the efficient and effective operation of  
118 the department pursuant to s. 20.04.

119 ~~(6) STRATEGIC MARKETS RESEARCH AND ASSESSMENT UNIT.—The~~  
120 ~~Strategic Markets Research and Assessment Unit is established~~  
121 ~~within the Department of Financial Services. The Chief Financial~~  
122 ~~Officer or his or her designee shall report on September 1,~~  
123 ~~2008, and quarterly thereafter, to the Cabinet, the President of~~  
124 ~~the Senate, and the Speaker of the House of Representatives on~~  
125 ~~the status of the state's financial services markets. At a~~  
126 ~~minimum, the report must include a summary of issues, trends,~~  
127 ~~and threats that broadly impact the condition of the financial~~  
128 ~~services industries, along with the effect of such conditions on~~  
129 ~~financial institutions, the securities industries, other~~  
130 ~~financial entities, and the credit market. The Chief Financial~~  
131 ~~Officer shall also provide findings and recommendations~~  
132 ~~regarding regulatory and policy changes to the Cabinet, the~~  
133 ~~President of the Senate, and the Speaker of the House of~~  
134 ~~Representatives.~~

135 Section 2. Subsection (3) of section 28.2401, Florida  
136 Statutes, is amended to read:

137 28.2401 Service charges and filing fees in probate  
138 matters.—

139 (3) An additional service charge of \$4 on petitions seeking  
140 summary administration, formal administration, ancillary  
141 administration, guardianship, curatorship, and conservatorship  
142 shall be paid to the clerk. The clerk shall transfer \$3.50 to  
143 the Department of Revenue for deposit into the Court Education  
144 Trust Fund and shall transfer 50 cents to the Department of  
145 Revenue for deposit into the Department of Financial Services'

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146 Administrative Trust Fund to fund clerk education provided by  
147 the Florida Clerks of Court Operations Corporation. No  
148 additional fees, charges, or costs shall be added to the service  
149 charges or filing fees imposed under this section, except as  
150 authorized by general law.

151 Section 3. Paragraph (a) of subsection (1) of section  
152 28.241, Florida Statutes, is amended to read:

153 28.241 Filing fees for trial and appellate proceedings.—

154 (1) Filing fees are due at the time a party files a  
155 pleading to initiate a proceeding or files a pleading for  
156 relief. Reopen fees are due at the time a party files a pleading  
157 to reopen a proceeding if at least 90 days have elapsed since  
158 the filing of a final order or final judgment with the clerk. If  
159 a fee is not paid upon the filing of the pleading as required  
160 under this section, the clerk shall pursue collection of the fee  
161 pursuant to s. 28.246.

162 (a)1.a. Except as provided in sub-subparagraph b. and  
163 subparagraph 2., the party instituting any civil action, suit,  
164 or proceeding in the circuit court shall pay to the clerk of  
165 that court a filing fee of up to \$395 in all cases in which  
166 there are not more than five defendants and an additional filing  
167 fee of up to \$2.50 for each defendant in excess of five. Of the  
168 first \$199 ~~\$200~~ in filing fees, \$195 must be remitted to the  
169 Department of Revenue for deposit into the State Courts Revenue  
170 Trust Fund and, \$4 must be remitted to the Department of Revenue  
171 for deposit into the Administrative Trust Fund within the  
172 Department of Financial Services and used to fund the contract  
173 with the Florida Clerks of Court Operations Corporation created  
174 in s. 28.35, ~~and \$1 must be remitted to the Department of~~

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175 ~~Revenue for deposit into the Administrative Trust Fund within~~  
176 ~~the Department of Financial Services to fund audits of~~  
177 ~~individual clerks' court-related expenditures conducted by the~~  
178 ~~Department of Financial Services.~~ By the 10th of each month, the  
179 clerk shall submit that portion of the filing fees collected in  
180 the previous month which is in excess of one-twelfth of the  
181 clerk's total budget to the Department of Revenue for deposit  
182 into the Clerks of the Court Trust Fund.

183       b. The party instituting any civil action, suit, or  
184 proceeding in the circuit court under chapter 39, chapter 61,  
185 chapter 741, chapter 742, chapter 747, chapter 752, or chapter  
186 753 shall pay to the clerk of that court a filing fee of up to  
187 \$295 in all cases in which there are not more than five  
188 defendants and an additional filing fee of up to \$2.50 for each  
189 defendant in excess of five. Of the first \$99 ~~\$100~~ in filing  
190 fees, \$95 must be remitted to the Department of Revenue for  
191 deposit into the State Courts Revenue Trust Fund and, \$4 must be  
192 remitted to the Department of Revenue for deposit into the  
193 Administrative Trust Fund within the Department of Financial  
194 Services and used to fund the contract with the Florida Clerks  
195 of Court Operations Corporation created in s. 28.35, ~~and \$1 must~~  
196 ~~be remitted to the Department of Revenue for deposit into the~~  
197 ~~Administrative Trust Fund within the Department of Financial~~  
198 ~~Services to fund audits of individual clerks' court-related~~  
199 ~~expenditures conducted by the Department of Financial Services.~~

200       c. An additional filing fee of \$4 shall be paid to the  
201 clerk. The clerk shall remit \$3.50 to the Department of Revenue  
202 for deposit into the Court Education Trust Fund and shall remit  
203 50 cents to the Department of Revenue for deposit into the

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204 Administrative Trust Fund within the Department of Financial  
205 Services to fund clerk education provided by the Florida Clerks  
206 of Court Operations Corporation. An additional filing fee of up  
207 to \$18 shall be paid by the party seeking each severance that is  
208 granted. The clerk may impose an additional filing fee of up to  
209 \$85 for all proceedings of garnishment, attachment, replevin,  
210 and distress. Postal charges incurred by the clerk of the  
211 circuit court in making service by certified or registered mail  
212 on defendants or other parties shall be paid by the party at  
213 whose instance service is made. Additional fees, charges, or  
214 costs may not be added to the filing fees imposed under this  
215 section, except as authorized in this section or by general law.

216 2.a. Notwithstanding the fees prescribed in subparagraph  
217 1., a party instituting a civil action in circuit court relating  
218 to real property or mortgage foreclosure shall pay a graduated  
219 filing fee based on the value of the claim.

220 b. A party shall estimate in writing the amount in  
221 controversy of the claim upon filing the action. For purposes of  
222 this subparagraph, the value of a mortgage foreclosure action is  
223 based upon the principal due on the note secured by the  
224 mortgage, plus interest owed on the note and any moneys advanced  
225 by the lender for property taxes, insurance, and other advances  
226 secured by the mortgage, at the time of filing the foreclosure.  
227 The value shall also include the value of any tax certificates  
228 related to the property. In stating the value of a mortgage  
229 foreclosure claim, a party shall declare in writing the total  
230 value of the claim, as well as the individual elements of the  
231 value as prescribed in this sub-subparagraph.

232 c. In its order providing for the final disposition of the

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233 matter, the court shall identify the actual value of the claim.  
234 The clerk shall adjust the filing fee if there is a difference  
235 between the estimated amount in controversy and the actual value  
236 of the claim and collect any additional filing fee owed or  
237 provide a refund of excess filing fee paid.

238 d. The party shall pay a filing fee of:

239 (I) Three hundred and ninety-five dollars in all cases in  
240 which the value of the claim is \$50,000 or less and in which  
241 there are not more than five defendants. The party shall pay an  
242 additional filing fee of up to \$2.50 for each defendant in  
243 excess of five. Of the first \$199 ~~\$200~~ in filing fees, \$195 must  
244 be remitted by the clerk to the Department of Revenue for  
245 deposit into the General Revenue Fund and~~7~~ \$4 must be remitted  
246 to the Department of Revenue for deposit into the Administrative  
247 Trust Fund within the Department of Financial Services and used  
248 to fund the contract with the Florida Clerks of Court Operations  
249 Corporation created in s. 28.35~~7~~, ~~and \$1 must be remitted to the~~  
250 ~~Department of Revenue for deposit into the Administrative Trust~~  
251 ~~Fund within the Department of Financial Services to fund audits~~  
252 ~~of individual clerks' court-related expenditures conducted by~~  
253 ~~the Department of Financial Services;~~

254 (II) Nine hundred dollars in all cases in which the value  
255 of the claim is more than \$50,000 but less than \$250,000 and in  
256 which there are not more than five defendants. The party shall  
257 pay an additional filing fee of up to \$2.50 for each defendant  
258 in excess of five. Of the first \$704 ~~\$705~~ in filing fees, \$700  
259 must be remitted by the clerk to the Department of Revenue for  
260 deposit into the General Revenue Fund and~~7~~ \$4 must be remitted  
261 to the Department of Revenue for deposit into the Administrative

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262 Trust Fund within the Department of Financial Services and used  
263 to fund the contract with the Florida Clerks of Court Operations  
264 Corporation created in s. 28.35, ~~and \$1 must be remitted to the~~  
265 ~~Department of Revenue for deposit into the Administrative Trust~~  
266 ~~Fund within the Department of Financial Services to fund audits~~  
267 ~~of individual clerks' court-related expenditures conducted by~~  
268 ~~the Department of Financial Services; or~~

269 (III) One thousand nine hundred dollars in all cases in  
270 which the value of the claim is \$250,000 or more and in which  
271 there are not more than five defendants. The party shall pay an  
272 additional filing fee of up to \$2.50 for each defendant in  
273 excess of five. Of the first \$1,704 ~~\$1,705~~ in filing fees, \$930  
274 must be remitted by the clerk to the Department of Revenue for  
275 deposit into the General Revenue Fund, \$770 must be remitted to  
276 the Department of Revenue for deposit into the State Courts  
277 Revenue Trust Fund ~~and~~ \$4 must be remitted to the Department of  
278 Revenue for deposit into the Administrative Trust Fund within  
279 the Department of Financial Services to fund the contract with  
280 the Florida Clerks of Court Operations Corporation created in s.  
281 28.35, ~~and \$1 must be remitted to the Department of Revenue for~~  
282 ~~deposit into the Administrative Trust Fund within the Department~~  
283 ~~of Financial Services to fund audits of individual clerks'~~  
284 ~~court-related expenditures conducted by the Department of~~  
285 ~~Financial Services.~~

286 e. An additional filing fee of \$4 shall be paid to the  
287 clerk. The clerk shall remit \$3.50 to the Department of Revenue  
288 for deposit into the Court Education Trust Fund and shall remit  
289 50 cents to the Department of Revenue for deposit into the  
290 Administrative Trust Fund within the Department of Financial

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291 Services to fund clerk education provided by the Florida Clerks  
292 of Court Operations Corporation. An additional filing fee of up  
293 to \$18 shall be paid by the party seeking each severance that is  
294 granted. The clerk may impose an additional filing fee of up to  
295 \$85 for all proceedings of garnishment, attachment, replevin,  
296 and distress. Postal charges incurred by the clerk of the  
297 circuit court in making service by certified or registered mail  
298 on defendants or other parties shall be paid by the party at  
299 whose instance service is made. Additional fees, charges, or  
300 costs may not be added to the filing fees imposed under this  
301 section, except as authorized in this section or by general law.

302 Section 4. Paragraphs (e) through (h) of subsection (2) of  
303 section 28.35, Florida Statutes, are amended to read:

304 28.35 Florida Clerks of Court Operations Corporation.-

305 (2) The duties of the corporation shall include the  
306 following:

307 ~~(e) Entering into a contract with the Department of~~  
308 ~~Financial Services for the department to audit the court-related~~  
309 ~~expenditures of individual clerks pursuant to s. 17.03.~~

310 (e)~~(f)~~ Reviewing, certifying, and recommending proposed  
311 budgets submitted by clerks of the court pursuant to s. 28.36.  
312 As part of this process, the corporation shall:

313 1. Calculate the minimum amount of revenue necessary for  
314 each clerk of the court to efficiently perform the list of  
315 court-related functions specified in paragraph (3) (a). The  
316 corporation shall apply the workload measures appropriate for  
317 determining the individual level of review required to fund the  
318 clerk's budget.

319 2. Prepare a cost comparison of similarly situated clerks

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320 of the court, based on county population and numbers of filings,  
321 using the standard list of court-related functions specified in  
322 paragraph (3) (a).

323 3. Conduct an annual base budget review and an annual  
324 budget exercise examining the total budget of each clerk of the  
325 court. The review shall examine revenues from all sources,  
326 expenses of court-related functions, and expenses of noncourt-  
327 related functions as necessary to determine that court-related  
328 revenues are not being used for noncourt-related purposes. The  
329 review and exercise shall identify potential targeted budget  
330 reductions in the percentage amount provided in Schedule VIII-B  
331 of the state's previous year's legislative budget instructions,  
332 as referenced in s. 216.023(3), or an equivalent schedule or  
333 instruction as may be adopted by the Legislature.

334 4. Identify those proposed budgets containing funding for  
335 items not included on the standard list of court-related  
336 functions specified in paragraph (3) (a).

337 5. Identify those clerks projected to have court-related  
338 revenues insufficient to fund their anticipated court-related  
339 expenditures.

340 6. Use revenue estimates based on the official estimate for  
341 funds accruing to the clerks of the court made by the Revenue  
342 Estimating Conference.

343 7. Identify and report pay and benefit increases in any  
344 proposed clerk budget, including, but not limited to, cost of  
345 living increases, merit increases, and bonuses.

346 8. Provide detailed explanation for increases in  
347 anticipated expenditures in any clerk budget that exceeds the  
348 current year budget by more than 3 percent.

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349 9. Identify and report the budget of any clerk which  
350 exceeds the average budget of similarly situated clerks by more  
351 than 10 percent.

352 ~~(f)(g)~~ Developing and conducting clerk education programs.

353 ~~(g)(h)~~ Before Beginning August 1, 2014, and each August 1  
354 of each year thereafter, submitting to the Legislative Budget  
355 Commission, as provided in s. 11.90, its proposed budget and the  
356 information described in paragraph (e) ~~(f)~~, as well as the  
357 proposed budgets for each clerk of the court. Before October 1  
358 of each year ~~beginning in 2014~~, the Legislative Budget  
359 Commission shall consider the submitted budgets and shall  
360 approve, disapprove, or amend and approve the corporation's  
361 budget and shall approve, disapprove, or amend and approve the  
362 total of the clerks' combined budgets or any individual clerk's  
363 budget. If the Legislative Budget Commission fails to approve or  
364 amend and approve the corporation's budget or the clerks'  
365 combined budgets before October 1, the clerk shall continue to  
366 perform the court-related functions based upon the clerk's  
367 budget for the previous county fiscal year.

368 Section 5. Paragraph (y) is added to subsection (2) of  
369 section 110.205, Florida Statutes, to read:

370 110.205 Career service; exemptions.—

371 (2) EXEMPT POSITIONS.—The exempt positions that are not  
372 covered by this part include the following:

373 (y) All audit and accounting positions of the Division of  
374 Accounting and Auditing of the Department of Financial Services.

375 Section 6. Subsection (4) of section 624.26, Florida  
376 Statutes, is amended to read:

377 624.26 Collaborative arrangement with the Department of

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378 Health and Human Services.—

379 (4) The department's Division of Consumer Services may  
380 respond to complaints by consumers relating to a requirement of  
381 PPACA ~~as authorized under s. 20.121(2)(h)~~, and report apparent  
382 or potential violations to the office and to the federal  
383 Department of Health and Human Services.

384 Section 7. Subsection (10) is added to section 624.307,  
385 Florida Statutes, to read:

386 624.307 General powers; duties.—

387 (10) (a) The department's Division of Consumer Services  
388 shall perform the following functions concerning products or  
389 services regulated by the department or office:

390 1. Receive inquiries and complaints from consumers.

391 2. Prepare and disseminate such information as the  
392 department deems appropriate to inform or assist consumers.

393 3. Provide direct assistance and advocacy for consumers who  
394 request such assistance or advocacy.

395 4. With respect to apparent or potential violations of law  
396 or applicable rules by a person or entity licensed by the  
397 department or office, report apparent or potential violations to  
398 the office or the appropriate division of the department, which  
399 may take such further action as it deems appropriate.

400 5. Designate an employee of the division as primary contact  
401 for consumers on issues relating to sinkholes.

402 (b) Any person licensed or issued a certificate of  
403 authority by the department or the office shall respond, in  
404 writing, to the division within 20 days after receipt of a  
405 written request for information from the division concerning a  
406 consumer complaint. The response must address the issues and

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407 allegations raised in the complaint. The division may impose an  
408 administrative penalty for failure to comply with this paragraph  
409 of up to \$2,500 per violation upon any entity licensed by the  
410 department or the office and \$250 for the first violation, \$500  
411 for the second violation, and up to \$1,000 per violation  
412 thereafter upon any individual licensed by the department or the  
413 office.

414 (c) The department may adopt rules to administer this  
415 subsection.

416 (d) The powers, duties, and responsibilities expressed or  
417 granted in this subsection do not limit the powers, duties, and  
418 responsibilities of the Department of Financial Services, the  
419 Financial Services Commission, the Office of Insurance  
420 Regulation, or the Office of Financial Regulation as otherwise  
421 provided by law.

422 Section 8. Section 624.502, Florida Statutes, as amended by  
423 chapter 2014-53, Laws of Florida, is amended to read:

424 624.502 Service of process fee.—In all instances as  
425 provided in any section of the insurance code and s. 48.151(3)  
426 in which service of process is authorized to be made upon the  
427 Chief Financial Officer or the director of the office, the  
428 plaintiff shall pay to the department or office a fee of \$15 for  
429 such service of process, which fee shall be deposited into the  
430 Administrative Trust Fund ~~Insurance Regulatory Trust Fund~~.

431 Section 9. Section 16.59, Florida Statutes, is amended to  
432 read:

433 16.59 Medicaid fraud control.—The Medicaid Fraud Control  
434 Unit is created in the Department of Legal Affairs to  
435 investigate all violations of s. 409.920 and any criminal

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436 violations discovered during the course of those investigations.  
437 The Medicaid Fraud Control Unit may refer any criminal violation  
438 so uncovered to the appropriate prosecuting authority. The  
439 offices of the Medicaid Fraud Control Unit, the Agency for  
440 Health Care Administration Medicaid program integrity program,  
441 and the Divisions of Criminal Investigations ~~Insurance Fraud~~ and  
442 Public Assistance Fraud within the Department of Financial  
443 Services shall, to the extent possible, be collocated; however,  
444 positions dedicated to Medicaid managed care fraud within the  
445 Medicaid Fraud Control Unit shall be collocated with the  
446 Division of Criminal Investigations ~~Insurance Fraud~~. The Agency  
447 for Health Care Administration, the Department of Legal Affairs,  
448 and the Divisions of Criminal Investigations ~~Insurance Fraud~~ and  
449 Public Assistance Fraud within the Department of Financial  
450 Services shall conduct joint training and other joint activities  
451 designed to increase communication and coordination in  
452 recovering overpayments.

453 Section 10. Subsection (9) of section 400.9935, Florida  
454 Statutes, is amended to read:

455 400.9935 Clinic responsibilities.—

456 (9) In addition to the requirements of part II of chapter  
457 408, the clinic shall display a sign in a conspicuous location  
458 within the clinic readily visible to all patients indicating  
459 that, pursuant to s. 626.9892, the Department of Financial  
460 Services may pay rewards of up to \$25,000 to persons providing  
461 information leading to the arrest and conviction of persons  
462 committing crimes investigated by the Division of Criminal  
463 Investigations ~~Insurance Fraud~~ arising from violations of s.  
464 440.105, s. 624.15, s. 626.9541, s. 626.989, or s. 817.234. An

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465 authorized employee of the Division of Criminal Investigations  
466 ~~Insurance Fraud~~ may make unannounced inspections of a clinic  
467 licensed under this part as necessary to determine whether the  
468 clinic is in compliance with this subsection. A licensed clinic  
469 shall allow full and complete access to the premises to such  
470 authorized employee of the division who makes an inspection to  
471 determine compliance with this subsection.

472 Section 11. Subsection (6) of section 409.91212, Florida  
473 Statutes, is amended to read:

474 409.91212 Medicaid managed care fraud.—

475 (6) Each managed care plan shall report all suspected or  
476 confirmed instances of provider or recipient fraud or abuse  
477 within 15 calendar days after detection to the Office of  
478 Medicaid Program Integrity within the agency. At a minimum the  
479 report must contain the name of the provider or recipient, the  
480 Medicaid billing number or tax identification number, and a  
481 description of the fraudulent or abusive act. The Office of  
482 Medicaid Program Integrity in the agency shall forward the  
483 report of suspected overpayment, abuse, or fraud to the  
484 appropriate investigative unit, including, but not limited to,  
485 the Bureau of Medicaid program integrity, the Medicaid fraud  
486 control unit, the Division of Public Assistance Fraud, the  
487 Division of Criminal Investigations ~~Insurance Fraud~~, or the  
488 Department of Law Enforcement.

489 (a) Failure to timely report shall result in an  
490 administrative fine of \$1,000 per calendar day after the 15th  
491 day of detection.

492 (b) Failure to timely report may result in additional  
493 administrative, civil, or criminal penalties.

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494 Section 12. Paragraph (a) of subsection (1) of section  
495 440.105, Florida Statutes, is amended to read:

496 440.105 Prohibited activities; reports; penalties;  
497 limitations.-

498 (1) (a) Any insurance carrier, any individual self-insured,  
499 any commercial or group self-insurance fund, any professional  
500 practitioner licensed or regulated by the Department of Health,  
501 except as otherwise provided by law, any medical review  
502 committee as defined in s. 766.101, any private medical review  
503 committee, and any insurer, agent, or other person licensed  
504 under the insurance code, or any employee thereof, having  
505 knowledge or who believes that a fraudulent act or any other act  
506 or practice which, upon conviction, constitutes a felony or  
507 misdemeanor under this chapter is being or has been committed  
508 shall send to the Division of Criminal Investigations ~~Insurance~~  
509 ~~Fraud~~, Bureau of Workers' Compensation Fraud, a report or  
510 information pertinent to such knowledge or belief and such  
511 additional information relative thereto as the bureau may  
512 require. The bureau shall review such information or reports and  
513 select such information or reports as, in its judgment, may  
514 require further investigation. It shall then cause an  
515 independent examination of the facts surrounding such  
516 information or report to be made to determine the extent, if  
517 any, to which a fraudulent act or any other act or practice  
518 which, upon conviction, constitutes a felony or a misdemeanor  
519 under this chapter is being committed. The bureau shall report  
520 any alleged violations of law which its investigations disclose  
521 to the appropriate licensing agency and state attorney or other  
522 prosecuting agency having jurisdiction with respect to any such

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523 violations of this chapter. If prosecution by the state attorney  
524 or other prosecuting agency having jurisdiction with respect to  
525 such violation is not begun within 60 days of the bureau's  
526 report, the state attorney or other prosecuting agency having  
527 jurisdiction with respect to such violation shall inform the  
528 bureau of the reasons for the lack of prosecution.

529 Section 13. Subsections (1) and (2) of section 440.1051,  
530 Florida Statutes, are amended to read

531 440.1051 Fraud reports; civil immunity; criminal  
532 penalties.—

533 (1) The Bureau of Workers' Compensation Insurance Fraud of  
534 the Division of Criminal Investigations ~~Insurance Fraud~~ of the  
535 department shall establish a toll-free telephone number to  
536 receive reports of workers' compensation fraud committed by an  
537 employee, employer, insurance provider, physician, attorney, or  
538 other person.

539 (2) Any person who reports workers' compensation fraud to  
540 the Division of Criminal Investigations ~~Insurance Fraud~~ under  
541 subsection (1) is immune from civil liability for doing so, and  
542 the person or entity alleged to have committed the fraud may not  
543 retaliate against him or her for providing such report, unless  
544 the person making the report knows it to be false.

545 Section 14. Paragraph (c) of subsection (1) of section  
546 440.12, Florida Statutes, is amended to read:

547 440.12 Time for commencement and limits on weekly rate of  
548 compensation.—

549 (1) Compensation is not allowed for the first 7 days of  
550 the disability, except for benefits provided under s. 440.13.  
551 However, if the injury results in more than 21 days of

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552 disability, compensation is allowed from the commencement of the  
553 disability.

554 (c) Each carrier shall keep a record of all payments made  
555 under this subsection, including the time and manner of such  
556 payments, and shall furnish these records or a report based on  
557 these records to the Division of Criminal Investigations  
558 ~~Insurance Fraud~~ and the Division of Workers' Compensation, upon  
559 request.

560 Section 15. Subsection (1) of section 624.521, Florida  
561 Statutes, is amended to read:

562 624.521 Deposit of certain tax receipts; refund of improper  
563 payments.—

564 (1) The department of ~~Financial Services~~ shall promptly  
565 deposit in the State Treasury to the credit of the Insurance  
566 Regulatory Trust Fund all "state tax" portions of agents'  
567 licenses collected under s. 624.501 necessary to fund the  
568 Division of Criminal Investigations ~~Insurance Fraud~~. The balance  
569 of the tax shall be credited to the General Fund. All moneys  
570 received by the department of ~~Financial Services~~ or the office  
571 not in accordance with the provisions of this code or not in the  
572 exact amount as specified by the applicable provisions of this  
573 code shall be returned to the remitter. The records of the  
574 department or office shall show the date and reason for such  
575 return.

576 Section 16. Subsection (4) of section 626.016, Florida  
577 Statutes, is amended to read:

578 626.016 Powers and duties of department, commission, and  
579 office.—

580 (4) Nothing in this section is intended to limit the

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581 authority of the department and the Division of Criminal  
582 Investigations ~~Insurance Fraud~~, as specified in s. 626.989.

583 Section 17. Subsections (2) and (6) of section 626.989,  
584 Florida Statutes, are amended to read:

585 626.989 Investigation by department or Division of Criminal  
586 Investigations ~~Insurance Fraud~~; compliance; immunity;  
587 confidential information; reports to division; division  
588 investigator's power of arrest.—

589 (2) If, by its own inquiries or as a result of complaints,  
590 the department or its Division of Criminal Investigations  
591 ~~Insurance Fraud~~ has reason to believe that a person has engaged  
592 in, or is engaging in, a fraudulent insurance act, an act or  
593 practice that violates s. 626.9541 or s. 817.234, or an act or  
594 practice punishable under s. 624.15, it may administer oaths and  
595 affirmations, request the attendance of witnesses or proffering  
596 of matter, and collect evidence. The department shall not compel  
597 the attendance of any person or matter in any such investigation  
598 except pursuant to subsection (4).

599 (6) Any person, other than an insurer, agent, or other  
600 person licensed under the code, or an employee thereof, having  
601 knowledge or who believes that a fraudulent insurance act or any  
602 other act or practice which, upon conviction, constitutes a  
603 felony or a misdemeanor under the code, or under s. 817.234, is  
604 being or has been committed may send to the Division of Criminal  
605 Investigations ~~Insurance Fraud~~ a report or information pertinent  
606 to such knowledge or belief and such additional information  
607 relative thereto as the department may request. Any professional  
608 practitioner licensed or regulated by the Department of Business  
609 and Professional Regulation, except as otherwise provided by

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610 law, any medical review committee as defined in s. 766.101, any  
611 private medical review committee, and any insurer, agent, or  
612 other person licensed under the code, or an employee thereof,  
613 having knowledge or who believes that a fraudulent insurance act  
614 or any other act or practice which, upon conviction, constitutes  
615 a felony or a misdemeanor under the code, or under s. 817.234,  
616 is being or has been committed shall send to the Division of  
617 Criminal Investigations ~~Insurance Fraud~~ a report or information  
618 pertinent to such knowledge or belief and such additional  
619 information relative thereto as the department may require. The  
620 Division of Criminal Investigations ~~Insurance Fraud~~ shall review  
621 such information or reports and select such information or  
622 reports as, in its judgment, may require further investigation.  
623 It shall then cause an independent examination of the facts  
624 surrounding such information or report to be made to determine  
625 the extent, if any, to which a fraudulent insurance act or any  
626 other act or practice which, upon conviction, constitutes a  
627 felony or a misdemeanor under the code, or under s. 817.234, is  
628 being committed. The Division of Criminal Investigations  
629 ~~Insurance Fraud~~ shall report any alleged violations of law which  
630 its investigations disclose to the appropriate licensing agency  
631 and state attorney or other prosecuting agency having  
632 jurisdiction with respect to any such violation, as provided in  
633 s. 624.310. If prosecution by the state attorney or other  
634 prosecuting agency having jurisdiction with respect to such  
635 violation is not begun within 60 days of the division's report,  
636 the state attorney or other prosecuting agency having  
637 jurisdiction with respect to such violation shall inform the  
638 division of the reasons for the lack of prosecution.

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639 Section 18. Subsections (1), (2), and (3) of section  
640 626.9891, Florida Statutes, are amended to read:

641 626.9891 Insurer anti-fraud investigative units; reporting  
642 requirements; penalties for noncompliance.-

643 (1) Each ~~Every~~ insurer admitted to do business in this  
644 state who in the previous calendar year, at any time during that  
645 year, had \$10 million or more in direct premiums written shall:

646 (a) Establish and maintain a unit or division within the  
647 company to investigate possible fraudulent claims by insureds or  
648 by persons making claims for services or repairs against  
649 policies held by insureds; or

650 (b) Contract with others to investigate possible fraudulent  
651 claims for services or repairs against policies held by  
652 insureds.

653

654 An insurer subject to this subsection shall file with the  
655 Division of Criminal Investigations ~~Insurance Fraud~~ of the  
656 department on or before July 1, 1996, a detailed description of  
657 the unit or division established pursuant to paragraph (a) or a  
658 copy of the contract and related documents required by paragraph  
659 (b).

660 (2) Every insurer admitted to do business in this state,  
661 which in the previous calendar year had less than \$10 million in  
662 direct premiums written, must adopt an anti-fraud plan and file  
663 it with the Division of Criminal Investigations ~~Insurance Fraud~~  
664 of the department on or before July 1, 1996. An insurer may, in  
665 lieu of adopting and filing an anti-fraud plan, comply with ~~the~~  
666 ~~provisions of~~ subsection (1).

667 (3) Each insurer's ~~insurers~~ anti-fraud plan must ~~plans~~

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668 ~~shall~~ include all of the following:

669 (a) A description of the insurer's procedures for detecting  
670 and investigating possible fraudulent insurance acts.~~;~~

671 (b) A description of the insurer's procedures for the  
672 mandatory reporting of possible fraudulent insurance acts to the  
673 Division of Criminal Investigations ~~Insurance Fraud~~ of the  
674 department.~~;~~

675 (c) A description of the insurer's plan for anti-fraud  
676 education and training of its claims adjusters or other  
677 personnel.~~;~~ ~~and~~

678 (d) A written description or chart outlining the  
679 organizational arrangement of the insurer's anti-fraud personnel  
680 who are responsible for the investigation and reporting of  
681 possible fraudulent insurance acts.

682 Section 19. Subsection (2) of section 626.9892, Florida  
683 Statutes, is amended to read:

684 626.9892 Anti-Fraud Reward Program; reporting of insurance  
685 fraud.—

686 (2) The department may pay rewards of up to \$25,000 to  
687 persons providing information leading to the arrest and  
688 conviction of persons committing crimes investigated by the  
689 Division of Criminal Investigations ~~Insurance Fraud~~ arising from  
690 violations of s. 440.105, s. 624.15, s. 626.9541, s. 626.989, or  
691 s. 817.234.

692 Section 20. Subsection (1) of section 626.9893, Florida  
693 Statutes, is amended to read:

694 626.9893 Disposition of revenues; criminal or forfeiture  
695 proceedings.—

696 (1) The Division of Criminal Investigations ~~Insurance Fraud~~

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697 of the Department of Financial Services may deposit revenues  
698 received as a result of criminal proceedings or forfeiture  
699 proceedings, other than revenues deposited into the Department  
700 of Financial Services' Federal Law Enforcement Trust Fund under  
701 s. 17.43, into the Insurance Regulatory Trust Fund. Moneys  
702 deposited pursuant to this section shall be separately accounted  
703 for and shall be used solely for the division to carry out its  
704 duties and responsibilities.

705 Section 21. Subsection (2) of section 626.9894, Florida  
706 Statutes, is amended to read:

707 626.9894 Gifts and grants.—

708 (2) All rights to, interest in, and title to such donated  
709 or granted property shall immediately vest in the Division of  
710 Criminal Investigations ~~Insurance Fraud~~ upon donation. The  
711 division may hold such property in coownership, sell its  
712 interest in the property, liquidate its interest in the  
713 property, or dispose of its interest in the property in any  
714 other reasonable manner.

715 Section 22. Paragraph (a) of subsection (1) of section  
716 626.9895, Florida Statutes, is amended to read:

717 626.9895 Motor vehicle insurance fraud direct-support  
718 organization.—

719 (1) DEFINITIONS.—As used in this section, the term:

720 (a) "Division" means the Division of Criminal  
721 Investigations ~~Insurance Fraud~~ of the Department of Financial  
722 Services.

723 Section 23. Section 626.99278, Florida Statutes, is amended  
724 to read:

725 626.99278 Viatical provider anti-fraud plan.—Every licensed

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726 viatical settlement provider and registered life expectancy  
727 provider must adopt an anti-fraud plan and file it with the  
728 Division of Criminal Investigations ~~Insurance Fraud~~ of the  
729 department. Each anti-fraud plan shall include:

730 (1) A description of the procedures for detecting and  
731 investigating possible fraudulent acts and procedures for  
732 resolving material inconsistencies between medical records and  
733 insurance applications.

734 (2) A description of the procedures for the mandatory  
735 reporting of possible fraudulent insurance acts and prohibited  
736 practices set forth in s. 626.99275 to the Division of Criminal  
737 Investigations ~~Insurance Fraud~~ of the department.

738 (3) A description of the plan for anti-fraud education and  
739 training of its underwriters or other personnel.

740 (4) A written description or chart outlining the  
741 organizational arrangement of the anti-fraud personnel who are  
742 responsible for the investigation and reporting of possible  
743 fraudulent insurance acts and for the investigation of  
744 unresolved material inconsistencies between medical records and  
745 insurance applications.

746 (5) For viatical settlement providers, a description of the  
747 procedures used to perform initial and continuing review of the  
748 accuracy of life expectancies used in connection with a viatical  
749 settlement contract or viatical settlement investment.

750 Section 24. Paragraph (k) of subsection (6) of section  
751 627.351, Florida Statutes, is amended to read:

752 627.351 Insurance risk apportionment plans.—

753 (6) CITIZENS PROPERTY INSURANCE CORPORATION.—

754 (k)1. The corporation shall establish and maintain a unit

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755 or division to investigate possible fraudulent claims by  
756 insureds or by persons making claims for services or repairs  
757 against policies held by insureds; or it may contract with  
758 others to investigate possible fraudulent claims for services or  
759 repairs against policies held by the corporation pursuant to s.  
760 626.9891. The corporation must comply with reporting  
761 requirements of s. 626.9891. An employee of the corporation  
762 shall notify the corporation's Office of the Inspector General  
763 and the Division of Criminal Investigations ~~Insurance Fraud~~  
764 within 48 hours after having information that would lead a  
765 reasonable person to suspect that fraud may have been committed  
766 by any employee of the corporation.

767 2. The corporation shall establish a unit or division  
768 responsible for receiving and responding to consumer complaints,  
769 which unit or division is the sole responsibility of a senior  
770 manager of the corporation.

771 Section 25. Subsections (4) and (7) of section 627.711,  
772 Florida Statutes, are amended to read:

773 627.711 Notice of premium discounts for hurricane loss  
774 mitigation; uniform mitigation verification inspection form.—

775 (4) An authorized mitigation inspector that signs a uniform  
776 mitigation form, and a direct employee authorized to conduct  
777 mitigation verification inspections under subsection ~~paragraph~~  
778 (3), may not commit misconduct in performing hurricane  
779 mitigation inspections or in completing a uniform mitigation  
780 form that causes financial harm to a customer or their insurer;  
781 or that jeopardizes a customer's health and safety. Misconduct  
782 occurs when an authorized mitigation inspector signs a uniform  
783 mitigation verification form that:

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784 (a) Falsely indicates that he or she personally inspected  
785 the structures referenced by the form;

786 (b) Falsely indicates the existence of a feature which  
787 entitles an insured to a mitigation discount which the inspector  
788 knows does not exist or did not personally inspect;

789 (c) Contains erroneous information due to the gross  
790 negligence of the inspector; or

791 (d) Contains a pattern of demonstrably false information  
792 regarding the existence of mitigation features that could give  
793 an insured a false evaluation of the ability of the structure to  
794 withstand major damage from a hurricane endangering the safety  
795 of the insured's life and property.

796 (7) An insurer, person, or other entity that obtains  
797 evidence of fraud or evidence that an authorized mitigation  
798 inspector or an employee authorized to conduct mitigation  
799 verification inspections under subsection ~~paragraph~~ (3) has made  
800 false statements in the completion of a mitigation inspection  
801 form shall file a report with the Division of Criminal  
802 Investigations Insurance Fraud, along with all of the evidence  
803 in its possession that supports the allegation of fraud or  
804 falsity. An insurer, person, or other entity making the report  
805 shall be immune from liability, in accordance with s.  
806 626.989(4), for any statements made in the report, during the  
807 investigation, or in connection with the report. The Division of  
808 Criminal Investigations Insurance Fraud shall issue an  
809 investigative report if it finds that probable cause exists to  
810 believe that the authorized mitigation inspector, or an employee  
811 authorized to conduct mitigation verification inspections under  
812 subsection ~~paragraph~~ (3), made intentionally false or fraudulent

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813 statements in the inspection form. Upon conclusion of the  
814 investigation and a finding of probable cause that a violation  
815 has occurred, the Division of Criminal Investigations ~~Insurance~~  
816 ~~Fraud~~ shall send a copy of the investigative report to the  
817 office and a copy to the agency responsible for the professional  
818 licensure of the authorized mitigation inspector, whether or not  
819 a prosecutor takes action based upon the report.

820 Section 26. Paragraph (i) of subsection (4) and subsection  
821 (14) of section 627.736, Florida Statutes, are amended to read:

822 627.736 Required personal injury protection benefits;  
823 exclusions; priority; claims.—

824 (4) PAYMENT OF BENEFITS.—Benefits due from an insurer under  
825 ss. 627.730-627.7405 are primary, except that benefits received  
826 under any workers' compensation law must be credited against the  
827 benefits provided by subsection (1) and are due and payable as  
828 loss accrues upon receipt of reasonable proof of such loss and  
829 the amount of expenses and loss incurred which are covered by  
830 the policy issued under ss. 627.730-627.7405. If the Agency for  
831 Health Care Administration provides, pays, or becomes liable for  
832 medical assistance under the Medicaid program related to injury,  
833 sickness, disease, or death arising out of the ownership,  
834 maintenance, or use of a motor vehicle, the benefits under ss.  
835 627.730-627.7405 are subject to the Medicaid program. However,  
836 within 30 days after receiving notice that the Medicaid program  
837 paid such benefits, the insurer shall repay the full amount of  
838 the benefits to the Medicaid program.

839 (i) If an insurer has a reasonable belief that a fraudulent  
840 insurance act, for the purposes of s. 626.989 or s. 817.234, has  
841 been committed, the insurer shall notify the claimant, in

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842 writing, within 30 days after submission of the claim that the  
843 claim is being investigated for suspected fraud. Beginning at  
844 the end of the initial 30-day period, the insurer has an  
845 additional 60 days to conduct its fraud investigation.  
846 Notwithstanding subsection (10), no later than 90 days after the  
847 submission of the claim, the insurer must deny the claim or pay  
848 the claim with simple interest as provided in paragraph (d).  
849 Interest shall be assessed from the day the claim was submitted  
850 until the day the claim is paid. All claims denied for suspected  
851 fraudulent insurance acts shall be reported to the Division of  
852 Criminal Investigations ~~Insurance Fraud~~.

853 (14) FRAUD ADVISORY NOTICE.—Upon receiving notice of a  
854 claim under this section, an insurer shall provide a notice to  
855 the insured or to a person for whom a claim for reimbursement  
856 for diagnosis or treatment of injuries has been filed, advising  
857 that:

858 (a) Pursuant to s. 626.9892, the Department of Financial  
859 Services may pay rewards of up to \$25,000 to persons providing  
860 information leading to the arrest and conviction of persons  
861 committing crimes investigated by the Division of Criminal  
862 Investigations ~~Insurance Fraud~~ arising from violations of s.  
863 440.105, s. 624.15, s. 626.9541, s. 626.989, or s. 817.234.

864 (b) Solicitation of a person injured in a motor vehicle  
865 crash for purposes of filing personal injury protection or tort  
866 claims could be a violation of s. 817.234, s. 817.505, or the  
867 rules regulating The Florida Bar and should be immediately  
868 reported to the Division of Criminal Investigations ~~Insurance~~  
869 ~~Fraud~~ if such conduct has taken place.

870 Section 27. Paragraphs (b) and (c) of subsection (1) of

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871 section 627.7401, Florida Statutes, are amended to read:

872 627.7401 Notification of insured's rights.—

873 (1) The commission, by rule, shall adopt a form for the  
874 notification of insureds of their right to receive personal  
875 injury protection benefits under the Florida Motor Vehicle No-  
876 Fault Law. Such notice shall include:

877 (b) An advisory informing insureds that:

878 1. Pursuant to s. 626.9892, the Department of Financial  
879 Services may pay rewards of up to \$25,000 to persons providing  
880 information leading to the arrest and conviction of persons  
881 committing crimes investigated by the Division of Criminal  
882 Investigations ~~Insurance Fraud~~ arising from violations of s.  
883 440.105, s. 624.15, s. 626.9541, s. 626.989, or s. 817.234.

884 2. Pursuant to s. 627.736(5)(e)1., if the insured notifies  
885 the insurer of a billing error, the insured may be entitled to a  
886 certain percentage of a reduction in the amount paid by the  
887 insured's motor vehicle insurer.

888 (c) A notice that solicitation of a person injured in a  
889 motor vehicle crash for purposes of filing personal injury  
890 protection or tort claims could be a violation of s. 817.234, s  
891 817.505, or the rules regulating The Florida Bar and should be  
892 immediately reported to the Division of Criminal Investigations  
893 ~~Insurance Fraud~~ if such conduct has taken place.

894 Section 28. Subsection (2) of section 631.156, Florida  
895 Statutes, is amended to read:

896 631.156 Investigation by the department; scope of  
897 authority; sharing of materials.—

898 (2) The department may provide documents, books, and  
899 records; other investigative products, work product, and

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900 analysis; and copies of any or all of such materials to the  
901 Division of Criminal Investigations ~~Insurance Fraud~~ or any other  
902 appropriate government agency. The sharing of these materials  
903 shall not waive any work product or other privilege otherwise  
904 applicable under law.

905 Section 29. Subsection (4) of section 641.30, Florida  
906 Statutes, is amended to read:

907 641.30 Construction and relationship to other laws.—

908 (4) The Division of Criminal Investigations ~~Insurance Fraud~~  
909 of the department is vested with all powers granted to it under  
910 the Florida Insurance Code with respect to the investigation of  
911 any violation of this part.

912 Section 30. Paragraph (1) of subsection (6) of section  
913 932.7055, Florida Statutes, is amended to read:

914 932.7055 Disposition of liens and forfeited property.—

915 (6) If the seizing agency is a state agency, all remaining  
916 proceeds shall be deposited into the General Revenue Fund.  
917 However, if the seizing agency is:

918 (1) The Division of Criminal Investigations ~~Insurance Fraud~~  
919 of the Department of Financial Services, the proceeds accrued  
920 pursuant to the provisions of the Florida Contraband Forfeiture  
921 Act shall be deposited into the Insurance Regulatory Trust Fund  
922 as provided in s. 626.9893 or into the Department of Financial  
923 Services' Federal Law Enforcement Trust Fund as provided in s.  
924 17.43, as applicable.

925 Section 31. This act shall take effect July 1, 2015.