CHAPTER 77-468

Committee Substitute for Senate Bill Nos. 1181, 925, and 792

AN ACT relating to insurance and tort reform; providing a short title; adding s. 11.147(9), Florida Statutes; authorizing the Joint Legislative Management Committee to retain the services of an actuary; amending s. 120.50, Florida Statutes; exempting the joint underwriting association from the provisions of the Administrative Procedure Act; adding s. 320.02(3), Florida Statutes; providing proof of personal injury protection benefits under certain circumstances; amending s. 324.011, Florida Statutes; prescribing purpose of the Financial Responsibility Law; amending s. 324.021(1), (2), Florida Statutes, 1976 Supplement. providing definitions; amending s. 324.051(1), (2): (3) (a), Florida Statutes, 1976 Supplement; requiring proof of financial responsibility for conviction of certain offenses; amending ss. 324.061(1), (3), 324.071, 324.072, and 324.081(1), (4), Florida Statutes, conforming provisions to changes made in 1976; repealing s. 324.181(2), Florida Statutes, relating to equitable apportionment among insurers; repealing s. 325.19(7), Florida Statutes, relating to proof of insurance at time of inspection; adding S. 624.315(7), Florida Statutes; prescribing content of annual report of Department of Insurance; adding s. 624.316(5), (6), Florida Statutes; providing for examinations by Department of Insurance; adding s. 624.404(8), Florida Statutes; providing for valuation of portfolio at current market value; amending s. 624.411(3), Florida Statutes; increasing deposit requirement; amending s. 624.18(4), Florida Statutes; increasing provision for surplus as to policyholders; adding s. 624.424(8), Florida Statutes; authorizing department to require an annual certified financial report; adding s. 626.9541(15) (h), Florida Statutes, 1976 Supplement; prohibiting discrimination; amending provisions of s. 626.989, Florida Statutes, 1976 Supplement; providing investigatory powers and providing for certain enforcement by the circuit courts; restricting public inspection of

documents; providing for explanation by State Attorney; amending s. 627.062(2), Florida Statutes; removing motor vehicle insurance from certain rate standards; creating s. 627.0651, Florida Statutes; prescribing procedures for making and using rates for motor vehicle insurance; creating s. 627.066, Florida Statutes; prohibiting excessive profits for motor vehicle insurance; amending s. 627.072(1) (a), Florida Statutes; removing motor vehicle insurance from certain provisions concerning making and use of rates; repealing s. 627.082, Florida Statutes; and providing a penalty; prohibiting soliciting by an attorney of motor vehicle tort claims and providing a penalty; amending s. 627.739, Florida Statutes, 1976 Supplement; providing for modified personal injury protection insurance; providing for deductibles and exclusions; creating s. 627.7403, Florida Statutes, providing for mandatory joinder of derivative claims in certain actions; creating s. 768.063, Florida Statutes; providing for nonjoinder of liability insurers; amending s. 768.18(2), Florida Statutes; providing new definition of minor children; providing for remittitur and additur; creating the Good Drivers' Incentive Fund to be administered by the Department of Highway Safety and Motor Vehicles; imposing additional civil penalties or fines for specified moving traffic violations and providing for deposit in the fund; providing for annual distribution of moneys in the fund to qualified drivers; prohibiting certain motor vehicle insurance rate increases prior to specified date; providing severability; providing an effective date.

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

Section 3. Section 120.50, Florida Statutes, is amended to read:

120.50 Exception to application of chapter.--This chapter shall not apply to the Legislature or the courts or to the determination of rate revisions or hearings thereon with respect to the automobile joint underwriting association established under s. 627.351 (1).