

Bill No. CS for CS for SB 1488

Barcode 631892

CHAMBER ACTION

Senate

House

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Senator Aronberg moved the following amendment:

Senate Amendment (with title amendment)

On page 56, lines 19-23, delete those lines

and insert:

Section 14. Effective July 1, 2005, subsections (1) and (7) of section 627.7015, Florida Statutes, are amended, and subsection (2) of that section is republished, to read:

627.7015 Alternative procedure for resolution of disputed property insurance claims.--

(1) PURPOSE AND SCOPE.--This section sets forth a nonadversarial alternative dispute resolution procedure for a mediated claim resolution conference prompted by the need for effective, fair, and timely handling of property insurance claims. There is a particular need for an informal, nonthreatening forum for helping parties who elect this procedure to resolve their claims disputes because most homeowner's insurance policies obligate insureds to participate in a potentially expensive and time-consuming adversarial appraisal process prior to litigation. The

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1 procedure set forth in this section is designed to bring the
2 parties together for a mediated claims settlement conference
3 without any of the trappings or drawbacks of an adversarial
4 process. Before resorting to these procedures, insureds and
5 insurers are encouraged to resolve claims as quickly and
6 fairly as possible. This section is available with respect to
7 claims under personal lines and commercial policies for all
8 claimants and insurers prior to commencing the appraisal
9 process, or commencing litigation. If requested by the
10 insured, participation by legal counsel shall be permitted.
11 Mediation under this section is also available to litigants
12 referred to the department by a county court or circuit court.
13 This section does not apply to ~~commercial coverages, to~~
14 private passenger motor vehicle insurance coverages, or to
15 disputes relating to liability coverages in policies of
16 property insurance.

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

20 And the title is amended as follows:

21 On page 4, line 2, after the second semicolon,

22

23 insert:

24 providing for claims under commercial insurance
25 policies to be subject to the alternative
26 dispute resolution procedure;

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