

Amendment No. (for drafter's use only)

CHAMBER ACTION

Senate

House

1 Representative(s) Ambler and Seiler offered the following:

2
3 **Amendment**

4 Remove lines 294-300 and insert:

5 (15) If the insurer timely agrees in writing to comply and
6 timely complies with the recommendation of the neutral
7 evaluator, but the policyholder declines to resolve the matter
8 in accordance with the recommendation of the neutral evaluator
9 pursuant to this section:

10 (a) The insurer is not liable for extra-contractual
11 damages related to a claim for a sinkhole loss but only as
12 related to the issues determined by the neutral-evaluation
13 process. Nothing in this section shall effect or impair claims
14 for extra-contractual damages unrelated to the issues determined
15 by the neutral-evaluation process contained in this section.

16 (b) The insurer is not liable for attorney's fees under s.
17 627.428 or other provisions of the insurance code unless the
449325

5/3/2006 10:53:14 AM

Amendment No. (for drafter's use only)

18 | policyholder obtains a judgment that is more favorable than the
19 | recommendation of the neutral evaluator.