

Bill No. CS for SB 286

Barcode 122966

	CHAMBER ACTION	
<u>Senate</u>		<u>House</u>

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Floor: WD/2R
05/03/2006 02:29 PM

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Senator Fasano moved the following amendment:

Senate Amendment

On page 9, line 30, through
page 10, line 4, delete those lines

and insert:

(13) The recommendation of the neutral evaluator is not binding on any party, and the parties retain access to court. The neutral evaluator's written recommendation is admissible in any subsequent action or proceeding relating to the claim or to the cause of action giving rise to the claim. The report of the neutral evaluator as to the presence or absence of a sinkhole loss is presumed correct absent clear and convincing evidence to the contrary. The report of the neutral evaluator as to the need for and estimated costs of stabilizing the land and any covered structures or buildings and other appropriate remediation or structural repairs resulting from a sinkhole loss is presumed correct absent a preponderance of the evidence to the contrary. If the findings in the neutral evaluator's written recommendation are

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1 inconsistent with the presumption under s. 627.7073, the

2 presumption under this section prevails.

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