

Bill No. CS for SB 286

Barcode 774142

CHAMBER ACTION

Senate

House

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Comm: FAV  
04/25/2006 09:55 PM  
  
Floor: 2/AD/2R  
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The Committee on Judiciary (Aronberg) recommended the following amendment:

**Senate Amendment (with title amendment)**

On page 6, line 30, through  
page 7, line 10, delete those lines

and insert:

(2)(a) Any insurer that has paid a claim for a sinkhole loss shall file a copy of the report and certification, prepared pursuant to subsection (1), including the legal description of the real property and the name of the property owner, with the county clerk of court ~~property appraiser~~, who shall record the report and certification ~~with the parcel number~~. The insurer shall bear the cost of filing and recording the report and certification. There shall be no cause of action or liability against an insurer for compliance with this section. The recording of the report and certification does not:

1. Constitute a lien, encumbrance, or restriction on the title to the real property or constitute a defect in the

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1 title to the real property;

2           2. Create any cause of action or liability against any  
3 grantor of the real property for breach of any warranty of  
4 good title or warranty against encumbrances; or

5           3. Create any cause of action or liability against any  
6 title insurer that insures the title to the real property.

7           (b) The seller of real property upon which a sinkhole  
8 claim has been made by the seller and paid by the insurer  
9 shall disclose to the buyer of such property that a claim has  
10 been paid and whether or not the full amount of the proceeds  
11 were used to repair the sinkhole damage.

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

15 And the title is amended as follows:

16           On page 1, line 18, after the semicolon,

17

18 insert:

19           providing that the recording of the report and  
20           certification does not constitute certain  
21           restrictions or create certain causes of action  
22           or liabilities;

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