



910896

LEGISLATIVE ACTION

Senate

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House

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Floor: 2/AD/2R

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04/23/2014 10:19 AM

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Senator Bean moved the following:

Senate Amendment (with title amendment)

Delete lines 261 - 292

and insert:

627.70151 Appraisal; conflicts of interest.—An insurer that offers residential coverage as defined in s. 627.4025, or a policyholder that uses an appraisal clause in a property insurance contract to establish a process for estimating or evaluating the amount of loss through the use of an impartial umpire, may challenge an umpire's impartiality and disqualify the proposed umpire only if:



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12 (1) A familial relationship within the third degree exists
13 between the umpire and a party or a representative of a party;

14 (2) The umpire has previously represented a party in a
15 professional capacity in the same claim or matter involving the
16 same property;

17 (3) The umpire has represented another person in a
18 professional capacity on the same or a substantially related
19 matter that includes the claim, the same property or an adjacent
20 property, and the other person's interests are materially
21 adverse to the interests of a party; or

22 (4) The umpire has worked as an employer or employee of a
23 party within the preceding 5 years.

24 Section 7. Paragraphs (c) and (f) of subsection (2) of
25 section 627.706, Florida Statutes, are amended to read:

26 627.706 Sinkhole insurance; catastrophic ground cover
27 collapse; definitions.-

28 (2) As used in ss. 627.706-627.7074, and as used in
29 connection with any policy providing coverage for a catastrophic
30 ground cover collapse or for sinkhole losses, the term:

31 (c) "Neutral evaluator" means an a ~~professional~~ engineer
32 licensed under chapter 471 who has experience and expertise in
33 the identification of sinkhole activity as well as other
34 potential causes of structural damage or a professional
35 geologist. The licensed engineer or professional geologist must
36 have ~~who has~~ completed a course of study in alternative dispute
37 resolution designed or approved by the department for use in the
38 neutral evaluation process, must be ~~and who is~~ determined by the
39 department to be fair and impartial, and may not otherwise be
40 ineligible for certification as provided under s. 627.7074.



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41 (f) "Professional engineer" means a person, as defined in
42 s. 471.005, who has a bachelor's degree or higher in
43 engineering. A professional engineer must also have experience
44 and expertise in the identification of sinkhole activity or ~~as~~
45 ~~well as~~ other potential causes of structural damage.

46
47 ===== T I T L E A M E N D M E N T =====

48 And the title is amended as follows:

49 Delete lines 19 - 20

50 and insert:

51 627.706, F.S.; redefining the terms "neutral
52 evaluator" and "professional engineer"; amending s.
53 627.7074, F.S.; specifying