



178162

LEGISLATIVE ACTION

Senate

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House

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Senator Diaz de la Portilla moved the following:

1           **Senate Substitute for Amendment (902384) (with title**  
2 **amendment)**

3  
4           Delete lines 58 - 88

5 and insert:

6 residential property insurance proceeds are payable.

7           (2) An entity or person, including a contractor licensed  
8 under part I of chapter 489 or a subcontractor to the  
9 contractor, that provides emergency remediation or restoration  
10 services for an insured under a residential property insurance  
11 policy in this state must:



12 (a) Provide an insured with a scope of services and  
13 materials to be provided for repairs undertaken pursuant to a  
14 residential property insurance claim before the agreement  
15 authorizing such repairs is executed. A supplement to the  
16 original scope of work does not violate this section.

17 (b) Notify the insured in writing that any assignment  
18 accepted by the person or entity is limited to the scope of the  
19 work indicated therein and that the insured may have other  
20 claims under his or her residential property insurance policy  
21 which are not covered by this assignment. Nothing in this  
22 section prohibits the use of post-loss, partial assignments in  
23 residential property insurance claims.

24 (c) Notify the insurer of an assignment of benefits within  
25 3 days after receiving the assignment from the insured.

26 (3) The department may, in a proceeding initiated pursuant  
27 to chapter 120, seek a cease and desist order, and if a cease  
28 and desist order is violated, impose an administrative fine of  
29 not more than \$10,000 per violation against any person found in  
30 the proceeding to have violated this section. Any cease and  
31 desist order or administrative fine levied by the department  
32 under this subsection may be enforced by the department by  
33 appropriate proceedings in the circuit court of the county in  
34 which the person resides. The department may recommend to the  
35 appropriate licensing agency or board that disciplinary action  
36 be taken against persons licensed by other agencies or boards.

37 (4) This section solely applies to residential coverage as  
38 described in s. 627.4025(1).

39  
40 ===== T I T L E A M E N D M E N T =====



41 | And the title is amended as follows:  
42 |       Delete line 13  
43 | and insert:  
44 |       authorizing the Department of