



LEGISLATIVE ACTION

Senate	.	House
	.	
	.	
Floor: 12/F/2R	.	
12/13/2022 03:10 PM	.	
	.	

Senator Pizzo moved the following:

Senate Amendment (with directory and title amendments)

Between lines 2637 and 2638
insert:

(4) INSURER DUTIES.—An insurer must have a procedure for the prompt investigation, review, and evaluation of the dispute stated in the notice and must investigate each claim contained in the notice in accordance with the Florida Insurance Code. An insurer must respond in writing within 10 business days after receiving the notice specified in subsection (3). The insurer must provide the response to the department, and to the claimant



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12 by e-mail if the insured has designated an e-mail address in the
13 notice.

14 (a) If an insurer is responding to a notice served on the
15 insurer following a denial of coverage by the insurer, the
16 insurer must respond by:

- 17 1. Accepting coverage;
- 18 2. Continuing to deny coverage; or
- 19 3. Asserting the right to reinspect the damaged property.

20 If the insurer responds by asserting the right to reinspect the
21 damaged property, it has 14 business days after the response
22 asserting that right to reinspect the property and accept or
23 continue to deny coverage. The time limits provided in s. 95.11
24 are tolled during the reinspection period if such time limits
25 expire before the end of the reinspection period. If the insurer
26 continues to deny coverage, the claimant may file suit without
27 providing additional notice to the insurer.

28 (b) If an insurer is responding to a notice provided to the
29 insurer alleging an act or omission by the insurer other than a
30 denial of coverage, the insurer must respond by making a
31 settlement offer or requiring the claimant to participate in
32 appraisal or another method of alternative dispute resolution.
33 The time limits provided in s. 95.11 are tolled as long as
34 appraisal or other alternative dispute resolution is ongoing if
35 such time limits expire during the appraisal process or dispute
36 resolution process. If the appraisal or alternative dispute
37 resolution has not been concluded within 90 days after the
38 expiration of the 10-day notice of intent to initiate litigation
39 specified in subsection (3), the claimant or claimant's attorney
40 may immediately file suit without providing the insurer



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41 additional notice.

42

43 ===== D I R E C T O R Y C L A U S E A M E N D M E N T =====

44 And the directory clause is amended as follows:

45 Delete line 2608

46 and insert:

47 Section 17. Subsections (1), (2), (4), (6), and (8) of
48 section

49

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

51 And the title is amended as follows:

52 Delete line 121

53 and insert:

54 "amount obtained"; specifying that an insurer provide
55 a specified notice to the Department of Financial
56 Services under certain conditions; providing that
57 certain