



762726

LEGISLATIVE ACTION

Senate

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House

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Floor: 1/RS/2R

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05/01/2023 04:14 PM

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Senator Martin moved the following:

Senate Amendment (with title amendment)

Delete lines 194 - 213

and insert:

3. Policyholders ~~whose policies issued by the corporation~~
~~do not provide coverage for the peril of wind~~ are not required
to purchase flood insurance as a condition for maintaining the
following ~~their~~ policies issued by ~~with~~ the corporation:

a. Policies that do not provide coverage for the peril of
wind.

b. Policies that provide coverage under a condominium unit



12 owners form.

13
14 The flood insurance required under this paragraph must meet, at
15 a minimum, the coverage available from the National Flood
16 Insurance Program or the requirements of subparagraphs s.
17 627.715(1)(a)1., 2., and 3.

18 (11) In addition to any other method of alternative dispute
19 resolution authorized by state law, the corporation may adopt
20 policy forms that provide for the resolution of disputes
21 regarding its claim determinations, including disputes regarding
22 coverage for, or the scope and value of, a claim, in a
23 proceeding before the Division of Administrative Hearings. Any
24 such policies are not subject to s. 627.70154. All proceedings
25 in the Division of Administrative Hearings pursuant to such
26 policies are subject to ss. 57.105 and 768.79 as if filed in the
27 courts of this state and are not considered chapter 120
28 administrative proceedings. Rule 1.442, Florida Rules of Civil
29 Procedure, applies to any offer served pursuant to s. 768.79,
30 except that, notwithstanding any provision in Rule 1.442,
31 Florida Rules of Civil Procedure, to the contrary, an offer
32 shall not be served earlier than 10 days after filing the
33 request for hearing with the Division of Administrative Hearings
34 and shall not be served later than 10 days before the date set
35 for the final hearing. The administrative law judge in such
36 proceedings shall award attorney fees and other relief pursuant
37 to ss. 57.105 and 768.79. The corporation may not seek, and the
38 office may not approve, a maximum hourly rate for attorney fees.

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



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41 And the title is amended as follows:
42 Delete lines 19 - 20
43 and insert:
44 binding arbitration provisions; specifying applicable
45 requirements, procedures, and restrictions relating to
46 such