

By Senator Martin

33-01473-26

20261716

A bill to be entitled
An act relating to dispute resolutions involving
Citizens Property Insurance Corporation; amending s.
627.351, F.S.; deleting provisions relating to the
authorization of dispute resolution of claim
determinations in proceedings before the Division of
Administrative Hearings; providing an effective date.

Be It Enacted by the Legislature of the State of Florida:

Section 1. Paragraph (11) of subsection (6) of section 627.351, Florida Statutes, is amended to read:

627.351 Insurance risk apportionment plans.—

(6) CITIZENS PROPERTY INSURANCE CORPORATION.—

(11) 1. In addition to any other method of alternative

dispute resolution authorized by state law, the corporation may adopt policy forms that provide for the resolution of disputes regarding its claim determinations, including disputes regarding coverage for, or the scope and value of, a claim, in a proceeding before the Division of Administrative Hearings. Any such policies are not subject to s. 627.70154. All proceedings in the Division of Administrative Hearings pursuant to such policies are subject to ss. 57.105 and 768.79 as if filed in the courts of this state and are not considered chapter 120 administrative proceedings. Rule 1.442, Florida Rules of Civil Procedure, applies to any offer served pursuant to s. 768.79, except that, notwithstanding any provision in Rule 1.442, Florida Rules of Civil Procedure, to the contrary, an offer shall not be served earlier than 10 days after filing the

33-01473-26

20261716

30 request for hearing with the Division of Administrative Hearings
31 and shall not be served later than 10 days before the date set
32 for the final hearing. The administrative law judge in such
33 proceedings shall award attorney fees and other relief pursuant
34 to ss. 57.105 and 768.79. The corporation may not seek, and the
35 office may not approve, a maximum hourly rate for attorney fees.

36 2. The corporation may contract with the division to
37 conduct proceedings to resolve disputes regarding its claim
38 determinations as may be provided for in the applicable policies
39 of insurance. This subparagraph expires July 1, 2026.

40 Section 2. This act shall take effect upon becoming a law.