

By Senator Martin

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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~~

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

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

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