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LEGISLATIVE ACTION

Senate	.	House
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The Committee on Budget (Fasano) recommended the following:

Senate Amendment

Between lines 3169 and 3170
insert:

5. The proposed neutral evaluator has, for the preceding 5 years, directly or indirectly, performed 80 percent or more of his or her sinkhole loss investigatory work exclusively on behalf of policyholders or exclusively on behalf of an insurer who is a party to a neutral evaluation. Work performed as a neutral evaluator may not be considered in calculating the percentage of work performed.

Delete lines 3283 - 3289
and insert:



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14 (b) If the insurer invokes neutral evaluation before
15 litigation begins, the actions of the insurer are not a
16 confession of judgment or admission of liability if the insurer
17 acknowledges coverage in writing and tenders all undisputed
18 policy proceeds due within 30 days after the date neutral
19 evaluation is completed. The insurer is not liable for
20 attorney's fees under s. 627.428 or other provisions of the
21 insurance code unless the policyholder obtains a judgment that
22 is more favorable than the recommendation of the neutral
23 evaluator.

24 (16) If the insurer and the policyholder agree to comply
25 with the neutral