

By Senator Martin

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1 A bill to be entitled
2 An act relating to dispute resolutions involving
3 Citizens Property Insurance Corporation; amending s.
4 627.351, F.S.; deleting provisions relating to the
5 authorization of dispute resolution of claim
6 determinations in proceedings before the Division of
7 Administrative Hearings; providing an effective date.
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9 Be It Enacted by the Legislature of the State of Florida:
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11 Section 1. Paragraph (11) of subsection (6) of section
12 627.351, Florida Statutes, is amended to read:

13 627.351 Insurance risk apportionment plans.—

14 (6) CITIZENS PROPERTY INSURANCE CORPORATION.—

15 ~~(11)1. In addition to any other method of alternative~~
16 ~~dispute resolution authorized by state law, the corporation may~~
17 ~~adopt policy forms that provide for the resolution of disputes~~
18 ~~regarding its claim determinations, including disputes regarding~~
19 ~~coverage for, or the scope and value of, a claim, in a~~
20 ~~proceeding before the Division of Administrative Hearings. Any~~
21 ~~such policies are not subject to s. 627.70154. All proceedings~~
22 ~~in the Division of Administrative Hearings pursuant to such~~
23 ~~policies are subject to ss. 57.105 and 768.79 as if filed in the~~
24 ~~courts of this state and are not considered chapter 120~~
25 ~~administrative proceedings. Rule 1.442, Florida Rules of Civil~~
26 ~~Procedure, applies to any offer served pursuant to s. 768.79,~~
27 ~~except that, notwithstanding any provision in Rule 1.442,~~
28 ~~Florida Rules of Civil Procedure, to the contrary, an offer~~
29 ~~shall not be served earlier than 10 days after filing the~~

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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.