The Committee on Banking and Insurance (Fasano) recommended the following:

**Senate Amendment**

Between lines 3104 and 3105

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 insurers. Work performed as a neutral evaluator may not be considered in calculating the percentage of work performed.
Delete lines 3218 - 3224
and insert:

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

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