

Below is a section-by-section analysis of the bill after taking TDI recommendations. Below are the additional changes in the committee substitute.

SECTION BY SECTION ANALYSIS

- Requires a personal car insurance policy to contain an appraisal procedure.
- Authorizes a policy holder and an insurance company to demand an appraisal not later than the 90th day after the date of a proof of loss is filed with the insurance company.
- Requires each party to appoint an appraiser to determine the amount of loss.
- Requires the appraisers to select an umpire if they cannot agree on the amount of loss.
- Specifies that each party is responsible for their own appraiser's fees.
- Requires the insurance company to refund the policy holder's out-of-pocket expenses for their appraiser's fees if the amount of loss is determined to be more than \$1 greater than the amount of the insurance company's loss statement.
- Requires the policy holder to refund the insurance company their appraiser's fees if the insurance company's loss statement is determined to be just.
- Specifies that other expenses, including the umpire expenses, are shared evenly between both parties.
- Neither the insurer or named insured waive any rights under the policy that is subject to the appraisal by demanding an appraisal.

COMMITTEE SUBSTITUTE CHANGES

- Modifies Sec. 1952.403 (b) to read "unbiased appraiser."
- Modifies Sec. 1952.404 (b) to add timeframes for resolution of determination of loss disputes and establish guidelines for extensions.
- Modifies Sec. 1952.406 (b) by changing the amount of loss requirement to 10% to provide additional room for human error.
- Modifies Sec. 1952.406 (c) to match section (b) This was made to show clarity and fairness.