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## CLAIMS ADVOCATE

insurance information you can use



### 2024–2025 LEGISLATIVE & LEGAL UPDATE: WHAT POLICYHOLDERS MUST KNOW IN THE SOUTH

Across the South, 2024 and 2025 have been defined by continued erosion of policyholder rights through quietly passed legislation and court rulings that favor insurers. Despite mounting consumer frustration over skyrocketing premiums, delayed claims, and opaque policy language, lawmakers and courts are doubling down on insurer protections. This update highlights the most important legal and legislative developments in Florida, Texas, and Georgia that every property owner and industry professional should know.

#### FLORIDA: 2024–2025 Continues the Anti-Consumer Agenda

The Florida legislature doubled down in 2024 and early 2025 on its insurer-friendly agenda, continuing the trajectory set by Senate Bill 2A (2022) and subsequent reforms.

##### House Bill 7055 (Passed – 2024 Session)

- Consolidated several Department of Financial Services (DFS) functions but quietly introduced language limiting DFS's enforcement authority over carriers.
- Narrowed the ability of public adjusters to initiate or participate in inspections without carrier consent.

##### Bad Faith Protections Weakened Further

- A 2024 ruling in *Gonzalez v. Citizens* (Fla. 3rd DCA) limited what constitutes “unreasonable delay,” giving insurers more room to stall claims without liability.
- New case law emphasizes that payment after appraisal or mediation insulates carriers from bad faith claims, even when initial offers were egregiously low.

##### Legislative Proposals in 2025

- Early proposals for the 2025 session include redefining the “prompt notice” window to just seven days, despite known delays in discovering certain damages post-catastrophe.
- Push to expand Citizens Property Insurance Corporation's eligibility criteria, potentially forcing more consumers into Florida's state-run, underfunded insurer of last resort.

Impact: Florida's 2024–2025 environment is increasingly hostile to policyholders. The legal safety nets of the past have been gutted, forcing claimants to navigate complex procedures with fewer tools and less leverage.

#### TEXAS: Appraisal Wins and Legislative Encroachment in 2024–2025

While Texas has been less aggressive than Florida, its legislature and courts continue to restrict consumer avenues for challenging claim denials and delays.

##### Appraisal Outcomes Confirm Systemic Underpayment

- 2024 industry data shows that 98% of residential property claims that go to appraisal result in higher payouts—some by over 50%.
- Despite this, no legislation has been passed to penalize insurers for lowballing initial offers.

##### Key Legal Ruling – *Castillo v. Allstate* (Texas Supreme Court, 2024)

- Held that insurers who promptly pay an appraisal award cannot be sued for bad faith, reinforcing protections even when initial offers were unreasonably low or delayed.

##### Legislation Proposed for 2025 Session

- HB 4821 (Filed): Would require public adjusters to register with and be approved by carriers before assisting on claims—effectively giving insurers veto power over who can represent policyholders.
- SB 2762 (Filed): Seeks to cap appraisal award increases to 20% above original offers, a measure directly targeting homeowners who dispute underpaid claims.

Impact: The Texas courts and legislature have reinforced a two-tier system—one where carriers can underpay claims without fear, and homeowners are discouraged from disputing unfair outcomes.

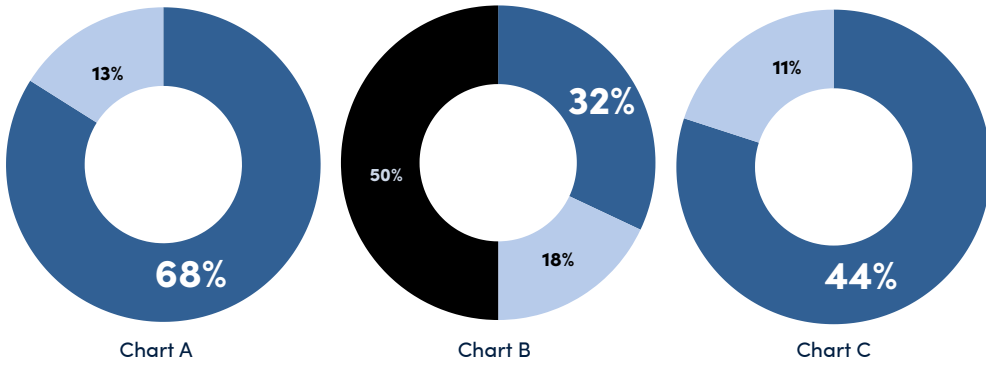
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### FLORIDA & TEXAS DISASTER DAMAGE: STATISTICS THAT MATTER



#### Hurricane Hit in Florida

##### A. Hurricane Ian (2022)

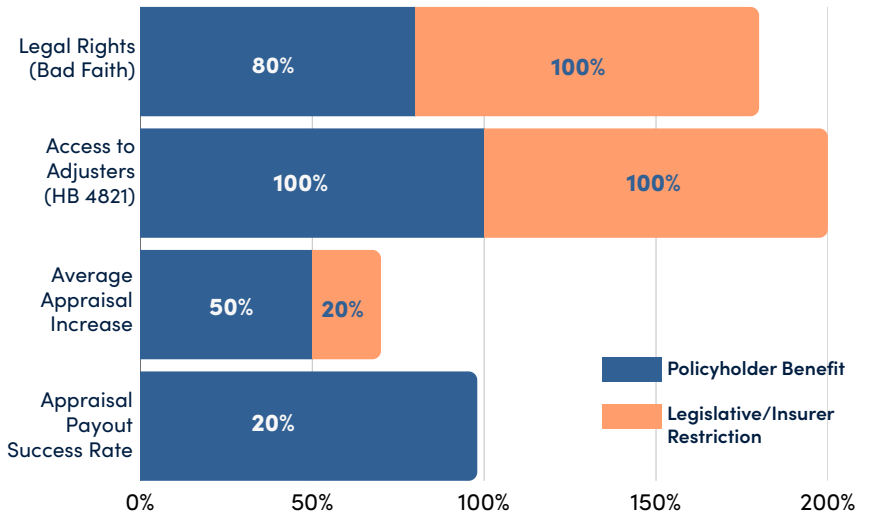
- 475,000 total claims
- 18 months later, 60,000 are still open and 68% of claims are closed without payment.

##### B. Hurricane Idalia (2023)

- 21,042 total claims
- 10,546 claims closed with payment, 3,727 claims are still open, and 6,769 claims are closed without payment.

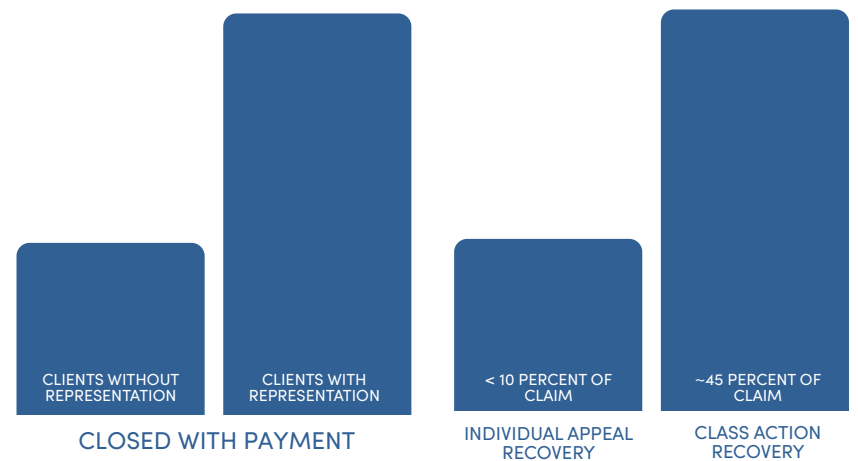
##### B. Hurricanes Debby/Helene/Milton (2024)

- 436,167 total claims
- 48,000 claims are still open, and 192,000 claims are closed without payments.
- Citizens paid \$823 million, but 44% of homeowners saw zero dollars after filing.



#### Texas Property Claims: Underpayment Patterns and Legislative Pushback

This chart highlights the systemic underpayment of residential property claims in Texas, where 98% of claims that proceed to appraisal result in increased payouts, often by more than 50%. Making it harder for homeowners to challenge lowball claims and choose their own representation.

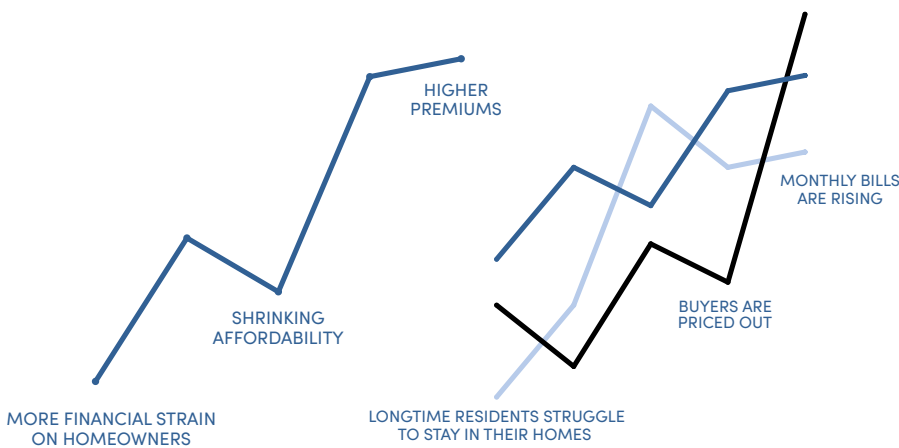


#### The Power of Representation

- Clients who engaged an advocate within 3 months of storm saw a 2.5x higher rate of "closed with payment"
- Unrepresented homeowners faced a 60 percent chance their claim would either stall or be denied outright.

Additionally, homeowners who joined these class actions recovered up to 4x more than if they pursued an individual appeal.

**Representation turns a 28% chance of payment into 70%.**



#### Insurance Rates on the Rise

Texas is expected to become the 5th most expensive state for home insurance by end of 2025.

Source: Insurify | [Insurify.com/homeowners-insurance/report/home-insurance-price-projections/](https://insurify.com/homeowners-insurance/report/home-insurance-price-projections/)



#### Ready

An essential component of our pre-loss program is the development of a disaster response plan.



#### Recover

In the event of a loss, insurance claims are immediately documented, filed and managed.



#### Rebuild

Essential to a full recovery is the management of documentation, the construction process, lenders and distribution of funds.

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3139 SW 27th Ave  
Miami, FL 33133

Georgia Regional Office  
925B Peachtree St Ne #193  
Atlanta, GA 30309

Dallas Regional Office  
6060 N Central Expy Suite 500  
Dallas, TX 75206

Need to report a claim?  
Contact our expert team 24/7

For more information contact:  
[recover@globalpro.com](mailto:recover@globalpro.com)

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