Universal Property and Casualty Insurance Company v. Rebecca Hughes

Year: 2024
Court: Florida Supreme Court
Case Number: SC2024-00025

In its amicus brief, United Policyholders weighs in on the issue of retroactivity and late notice, arguing that under Florida's two-prong test, a statute can only be applied retroactively if (1) it contains clear language indicating legislative intent for retroactively application and (2) such retroactivity is constitutionally permissible. In this case, United Policyholders argues that Florida Statutes Section 627.70152(3) — which requires policyholders to provide potential insurance carrier defendants with formal written notice of intent to file suit ten days prior to filing suit — fails this test.

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