

State Corporation Commission

2019 Fiscal Impact Statement

1. Bill Number: SB1415

House of Origin ☐ Introduced ☐ Substitute ☐ Engrossed
Second House ☐ In Committee ☐ Substitute ☒ Enrolled

2. Patron: Mason

3. Committee: Passed Both Houses

4. Title: Public adjusters.

5. Summary: Provides that public adjusting includes soliciting an insured. The measure expands the list of activities in which any person other than a licensed public adjuster is prohibited from engaging to include (i) preparing, completing, or filing an insurance claim on behalf of an insured; (ii) aiding or acting on behalf of an insured in negotiating for or effecting the settlement of a claim for loss or damage covered by an insurance contract; (iii) advertising for employment as a public adjuster; or (iv) soliciting, investigating, or adjusting a claim on behalf of a public adjuster or an insured. The measure provides that an insured may void a contract he may have signed with a person who is not licensed as a public adjuster. The measure also requires that (a) the account into which funds received by a public adjuster on behalf of an insured toward the settlement of a claim be a noninterest-bearing account and (b) the public adjuster keep accurate and itemized records of the funds deposited into the account, which funds are required to be held separately from other funds and be reasonably ascertainable from the books of accounts and records of the public adjuster.

6. Budget amendment necessary: No

7. Fiscal Impact Estimates: No fiscal impact on the State Corporation Commission

8. Fiscal Implications: None on the State Corporation Commission

9. Specific agency or political subdivisions affected: State Corporation Commission Bureau of Insurance

10. Technical amendment necessary: No

11. Other comments: Senator Mason introduced Senate Bill 1415 at the request of the State Corporation Commission Bureau of Insurance.

Date: 02/19/19/V. Tompkins