

**Deliver to  
Representative:**

Williams  
Kraft-Tharp  
DelGrosso  
Exum  
Hamner\*  
Holbert  
Navarro  
Nordberg  
Rosenthal  
Ryden  
Szabo

**Sponsor:**  
Ginal

HB1062\_L.001

HOUSE COMMITTEE OF REFERENCE AMENDMENT  
Committee on Business, Labor, Economic, & Workforce Development.  
HB13-1062 be amended as follows:

- 1 Amend printed bill, page 5, line 4, after "ASSISTANCE" insert "OF AN
- 2 INCIDENTAL NATURE".
- 3 Page 6, line 18, strike "A CLAIMANT" and substitute "AN INSURED".
- 4 Page 6, line 23, strike "THE CLAIMANT" and substitute "AN INSURED".
- 5 Page 7, strike lines 10 and 11 and substitute "COMMISSIONER THROUGH A
- 6 SURETY BOND EXECUTED AND ISSUED BY AN INSURER".
- 7 Page 7, line 13, strike "(A)" and substitute "(I)".
- 8 Page 7, line 15, strike "(B)" and substitute "(II)".
- 9 Page 7, line 21, strike "(C)" and substitute "(III)".
- 10 Page 7, line 23, strike "LICENSEE; OR" and substitute "THE LICENSEE".
- 11 Page 7, strike lines 24 through 27.
- 12 Page 8, strike lines 1 through 9.
- 13 Page 8, strike lines 11 and 12 and substitute "SHALL NOTIFY THE
- 14 COMMISSIONER UPON TERMINATION OF THE BOND, UNLESS OTHERWISE
- 15 DIRECTED BY THE COMMISSIONER".
- 16 Page 8, strike lines 15 and 16 and substitute:
- 17 "(d) THE COMMISSIONER SHALL SUMMARILY SUSPEND THE
- 18 AUTHORITY TO ACT AS A PUBLIC ADJUSTER IF THE EVIDENCE OF
- 19 FINANCIAL".
- 20 Page 9, strike lines 2 through 5.
- 21 Renumber succeeding subsections accordingly.
- 22 Page 10, strike lines 1 and 2 and substitute "THE WRITTEN CONTRACT
- 23 WITH THE INSURED".



1 Page 10, strike lines 7 and 8 and substitute:

2 "(f) A PUBLIC ADJUSTER SHALL NOT REFER OR DIRECT THE INSURED  
3 TO GET".

4 Page 10, strike lines 15 through 26 and substitute:

5 "(g) A PUBLIC ADJUSTER SHALL NOT PARTICIPATE DIRECTLY OR  
6 INDIRECTLY IN THE RECONSTRUCTION, REPAIR, OR RESTORATION OF  
7 DAMAGED PROPERTY THAT IS THE SUBJECT OF A CLAIM ADJUSTED BY THE  
8 PUBLIC ADJUSTER.

9 (h) A PUBLIC ADJUSTER SHALL NOT ENGAGE IN ANY OTHER  
10 ACTIVITIES THAT MAY REASONABLY BE CONSTRUED AS PRESENTING A  
11 CONFLICT OF INTEREST, INCLUDING SOLICITING OR ACCEPTING ANY  
12 REMUNERATION FROM, OR HAVING A FINANCIAL INTEREST IN, ANY  
13 SALVAGE FIRM, REPAIR FIRM, OR OTHER FIRM THAT OBTAINS BUSINESS IN  
14 CONNECTION WITH ANY CLAIM THE PUBLIC ADJUSTER HAS A CONTRACT OR  
15 AGREEMENT TO ADJUST."

16 Page 11, line 6, strike "CURRENT".

17 Page 11, line 9, strike "MALICIOUSLY".

18 Page 11, strike line 15 and substitute:

19 "(IV) (A) THE INSURED MAY RESCIND ANY CONTRACT OR OTHER  
20 FORM OF AGREEMENT FOR REPRESENTATION IN A PROPERTY OR CASUALTY  
21 LOSS OR CLAIM IF THE INSURED EXERCISES THIS RIGHT OF RESCISSION IN  
22 WRITING ADDRESSED TO THE INSURER AND THE PUBLIC ADJUSTER AND  
23 PUTS THE WRITTEN RESCISSION, POSTAGE PREPAID, IN THE UNITED STATES  
24 MAIL WITHIN SEVENTY-TWO HOURS AFTER SIGNING A SETTLEMENT  
25 REPRESENTATION AGREEMENT. ALL PUBLIC ADJUSTERS TAKING A  
26 REPRESENTATIVE AGREEMENT TO RESOLVE A PROPERTY OR CASUALTY  
27 LOSS OR CLAIM ON BEHALF OF AN INSURED SHALL GIVE TO THE INSURED  
28 WRITTEN NOTICE OF, AND DIRECTION AS TO, THE ABILITY TO EXERCISE THE  
29 INSURED'S RIGHT OF RESCISSION.

30 (B) A PUBLIC ADJUSTER SHALL NOT ENTER INTO A CONTRACT".

31 Page 11, strike lines 17 and 18 and substitute "THE REQUIRED RESCISSION  
32 PERIOD UNDER SUB-SUBPARAGRAPH (A) OF THIS SUBPARAGRAPH (IV);



- 1 Page 12, strike lines 2 through 4 and substitute "to carry out the
- 2 provisions of this section, including: ~~establishing nonrefundable fees and~~
- 3 ~~testing requirements for all applicants for licensure:"~~.
  
- 4 Page 12, line 5, strike "(b)" and substitute "(a)".
  
- 5 Page 12, line 7, strike "(c)" and substitute "(b)".

\*\* \*\* \*\* \*\* \*\*

