

Amendment No.

CHAMBER ACTION

Senate

House

.

Representative Shaw offered the following:

Amendment (with title amendment)

Remove everything after the enacting clause and insert:

Section 1. Subsection (1) of section 626.015, Florida Statutes, is amended to read:

626.015 Definitions.—As used in this part:

(1) "Adjuster" means a public adjuster as defined in s. 626.854, ~~a public adjuster apprentice as defined in s. 626.8541,~~ or an all-lines adjuster as defined in s. 626.8548.

Section 2. Subsections (7) through (19) of section 626.854, Florida Statutes, are renumbered as subsections (6) through (18), respectively, subsection (1) and present

909407

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Amendment No.

14 subsections (6), (7), (11), (18), and (19) are amended, and a
15 new subsection (19) is added to that section, to read:

16 626.854 "Public adjuster" defined; prohibitions.—The
17 Legislature finds that it is necessary for the protection of the
18 public to regulate public insurance adjusters and to prevent the
19 unauthorized practice of law.

20 (1) A "public adjuster" is any person, except a duly
21 licensed attorney at law as exempted under s. 626.860, who, for
22 money, commission, or any other thing of value, directly or
23 indirectly prepares, completes, or files an insurance claim ~~form~~
24 for an insured or third-party claimant or who, for money,
25 commission, or any other thing of value, acts on behalf of, or
26 aids an insured or third-party claimant in negotiating for or
27 effecting the settlement of a claim or claims for loss or damage
28 covered by an insurance contract or who advertises for
29 employment as an adjuster of such claims. The term also includes
30 any person who, for money, commission, or any other thing of
31 value, directly or indirectly solicits, investigates, or adjusts
32 such claims on behalf of a public adjuster, an insured, or a
33 third-party claimant. The term does not include a person who
34 photographs or inventories damaged personal property or business
35 personal property or a person performing duties under another
36 professional license, if such person does not otherwise solicit,
37 adjust, investigate, or negotiate for or attempt to effect the
38 settlement of a claim.

909407

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Amendment No.

39 ~~(6) A public adjuster may not directly or indirectly~~
40 ~~through any other person or entity initiate contact or engage in~~
41 ~~face-to-face or telephonic solicitation or enter into a contract~~
42 ~~with any insured or claimant under an insurance policy until at~~
43 ~~least 48 hours after the occurrence of an event that may be the~~
44 ~~subject of a claim under the insurance policy unless contact is~~
45 ~~initiated by the insured or claimant.~~

46 (6)~~(7)~~ An insured or claimant may cancel a public
47 adjuster's contract to adjust a claim without penalty or
48 obligation within 3 business days after the date on which the
49 contract is executed or within 3 business days after the date on
50 which the insured or claimant has notified the insurer of the
51 claim, ~~by phone or in writing~~, whichever is later. The public
52 adjuster's contract must disclose to the insured or claimant his
53 or her right to cancel the contract and advise the insured or
54 claimant that notice of cancellation must be submitted in
55 writing and sent by certified mail, return receipt requested, or
56 other form of mailing that provides proof thereof, to the public
57 adjuster at the address specified in the contract; provided,
58 during any state of emergency as declared by the Governor and
59 for 1 year after the date of loss, the insured or claimant has 5
60 business days after the date on which the contract is executed
61 to cancel a public adjuster's contract.

62 (10)~~(11)~~~~(a)~~ If a public adjuster enters into a contract
63 with an insured or claimant to reopen a claim or file a

909407

Approved For Filing: 4/21/2017 2:54:13 PM

Amendment No.

64 supplemental claim that seeks additional payments for a claim
65 that has been previously paid in part or in full or settled by
66 the insurer, the public adjuster may not charge, agree to, or
67 accept from any source compensation, payment, commission, fee,
68 or any other thing of value based on a previous settlement or
69 previous claim payments by the insurer for the same cause of
70 loss. The charge, compensation, payment, commission, fee, or any
71 other thing of value must be based only on the claim payments or
72 settlement obtained through the work of the public adjuster
73 after entering into the contract with the insured or claimant.
74 Compensation for the reopened or supplemental claim may not
75 exceed 20 percent of the reopened or supplemental claim payment.
76 In no event shall the contracts described in this paragraph
77 exceed the limitations in paragraph (b).

78 (b) A public adjuster may not charge, agree to, or accept
79 from any source compensation, payment, commission, fee, or any
80 other thing of value in excess of:

81 1. Ten percent of the amount of insurance claim payments
82 made by the insurer for claims based on events that are the
83 subject of a declaration of a state of emergency by the
84 Governor. This provision applies to claims made during the year
85 after the declaration of emergency. After that year, the
86 limitations in subparagraph 2. apply.

87 2. Twenty percent of the amount of insurance claim
88 payments made by the insurer for claims that are not based on

909407

Approved For Filing: 4/21/2017 2:54:13 PM

Amendment No.

89 events that are the subject of a declaration of a state of
90 emergency by the Governor.

91 (c) Insurance claim payments made by the insurer do not
92 include policy deductibles, and public adjuster compensation may
93 not be based on the deductible portion of a claim.

94 (d)~~(e)~~ Any maneuver, shift, or device through which the
95 limits on compensation set forth in this subsection are exceeded
96 is a violation of this chapter punishable as provided under s.
97 626.8698.

98 (17)~~(18)~~ A public adjuster, a public adjuster apprentice,
99 or a person acting on behalf of an adjuster or apprentice may
100 not enter into a contract or accept a power of attorney that
101 vests in the public adjuster, the public adjuster apprentice, or
102 the person acting on behalf of the adjuster or apprentice the
103 effective authority to choose the persons or entities that will
104 perform repair work in a property insurance claim or provide
105 goods or services that will require the insured or third-party
106 claimant to expend funds in excess of those payable to the
107 public adjuster under the terms of the contract for adjusting
108 services.

109 (18)~~(19)~~ Subsections (5)-(17) ~~(5)-(18)~~ apply only to
110 residential property insurance policies and condominium unit
111 owner policies as described in s. 718.111(11).

112 (19) Except as otherwise provided in this chapter, no
113 person, except an attorney at law or a public adjuster, may for

909407

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Amendment No.

114 money, commission, or any other thing of value, directly or
115 indirectly:

116 (a) Prepare, complete, or file an insurance claim for an
117 insured or a third-party claimant;

118 (b) Act on behalf of or aid an insured or a third-party
119 claimant in negotiating for or effecting the settlement of a
120 claim for loss or damage covered by an insurance contract;

121 (c) Advertise for employment as a public adjuster; or

122 (d) Solicit, investigate, or adjust a claim on behalf of a
123 public adjuster, an insured, or a third-party claimant.

124 Section 3. Section 626.8541, Florida Statutes, is
125 repealed.

126 Section 4. Section 626.8548, Florida Statutes, is amended
127 to read:

128 626.8548 "All-lines adjuster" defined.—An "all-lines
129 adjuster" is a person who, for money, commission, or any other
130 thing of value, directly or indirectly ~~is self-employed or~~
131 ~~employed by an insurer, a wholly owned subsidiary of an insurer,~~
132 ~~or an independent adjusting firm or other independent adjuster,~~
133 ~~and who~~ undertakes on behalf of a public adjuster or an insurer
134 ~~or other insurers under common control or ownership~~ to ascertain
135 and determine the amount of any claim, loss, or damage payable
136 under an insurance contract or undertakes to effect settlement
137 of such claim, loss, or damage. The term also includes any
138 person who, for money, commission, or any other thing of value,

909407

Approved For Filing: 4/21/2017 2:54:13 PM

Amendment No.

139 directly or indirectly solicits claims on behalf of a public
140 adjuster, but does not include a paid spokesperson used as part
141 of a written or an electronic advertisement or a person who
142 photographs or inventories damaged personal property or business
143 personal property if such person does not otherwise adjust,
144 investigate, or negotiate for or attempt to effect the
145 settlement of a claim. The term does not apply to life insurance
146 or annuity contracts.

147 Section 5. Section 626.8561, Florida Statutes, is created
148 to read:

149 626.8561 "Public adjuster apprentice" defined.—The term
150 "public adjuster apprentice" means a person licensed as an all-
151 lines adjuster who:

152 (1) Is appointed and employed or contracted by a public
153 adjuster or a public adjusting firm;

154 (2) Assists the public adjuster or public adjusting firm
155 in ascertaining and determining the amount of any claim, loss,
156 or damage payable under an insurance contract, or who undertakes
157 to effect settlement of such claim, loss, or damage; and

158 (3) Satisfies the requirements of s. 626.8651.

159 Section 6. Subsection (3) of section 626.8584, Florida
160 Statutes, is amended to read:

161 626.8584 "Nonresident all-lines adjuster" defined.—A

162 "nonresident all-lines adjuster" means a person who:

163 (3) Is licensed as an all-lines adjuster and self-

909407

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Amendment No.

164 appointed or appointed and employed or contracted by an
165 independent adjusting firm or other independent adjuster, by an
166 insurer admitted to do business in this state or a wholly owned
167 subsidiary of an insurer admitted to do business in this state,
168 or by a public adjuster or a public adjusting firm ~~other~~
169 ~~insurers under the common control or ownership of such insurer.~~

170 Section 7. Subsection (1) of section 626.861, Florida
171 Statutes, is amended to read:

172 626.861 Insurer's officers, insurer's employees,
173 reciprocal insurer's representatives; adjustments by.-

174 (1) ~~Nothing in~~ This part may not shall be construed to
175 prevent an executive officer of any insurer, an ~~or a regularly~~
176 ~~salariied~~ employee of an insurer handling claims with respect to
177 health insurance, an employee of an insurer handling claims with
178 respect to residential property insurance in which the amount of
179 coverage for the applicable type of loss is contractually
180 limited to \$500 or less, or the duly designated attorney or
181 agent authorized and acting for subscribers to reciprocal
182 insurers, from adjusting any claim loss or damage under any
183 insurance contract of such insurer.

184 Section 8. Subsection (3) of section 626.864, Florida
185 Statutes, is amended to read:

186 626.864 Adjuster license types.-

187 (3) An all-lines adjuster may be appointed as an
188 independent adjuster, public adjuster apprentice, or company

909407

Approved For Filing: 4/21/2017 2:54:13 PM

Amendment No.

189 employee adjuster, but not more than one of these ~~both~~
190 concurrently.

191 Section 9. Paragraphs (d) and (e) of subsection (1) of
192 section 626.865, Florida Statutes, are amended to read:

193 626.865 Public adjuster's qualifications, bond.—

194 (1) The department shall issue a license to an applicant
195 for a public adjuster's license upon determining that the
196 applicant has paid the applicable fees specified in s. 624.501
197 and possesses the following qualifications:

198 (d) Has had sufficient experience, training, or
199 instruction concerning the adjusting of damages or losses under
200 insurance contracts, other than life and annuity contracts, is
201 sufficiently informed as to the terms and effects of the
202 provisions of those types of insurance contracts, and possesses
203 adequate knowledge of the laws of this state relating to such
204 contracts as to enable and qualify him or her to engage in the
205 business of insurance adjuster fairly and without injury to the
206 public or any member thereof with whom the applicant may have
207 business as a public adjuster, ~~or has been licensed and employed~~
208 ~~as a resident insurance company adjuster or independent adjuster~~
209 ~~in this state on a continual basis for the past year.~~

210 (e) Has been licensed in this state as an all-lines
211 adjuster, and has been appointed on a continual basis for the
212 previous 6 months ~~Is licensed~~ as a public adjuster apprentice
213 under s. 626.8561, as an independent adjuster under s. 626.855,

909407

Approved For Filing: 4/21/2017 2:54:13 PM

Amendment No.

214 or as a company employee adjuster under s. 626.856 ~~under s.~~
215 ~~626.8651 and complies with the requirements of that license~~
216 ~~throughout the licensure period.~~

217 Section 10. Section 626.8651, Florida Statutes, is amended
218 to read:

219 626.8651 Public adjuster apprentice appointment license;
220 qualifications.—

221 (1)(a) The department shall issue an appointment ~~a license~~
222 as a public adjuster apprentice to a licensee ~~an applicant~~ who
223 ~~is~~:

224 1. Is licensed as an all-lines adjuster under s. 626.866;

225 2. Has filed with the department a bond executed and
226 issued by a surety insurer that is authorized to transact such
227 business in this state in the amount of \$50,000, which is
228 conditioned upon the faithful performance of his or her duties
229 as a public adjuster apprentice; and

230 3. Maintains such bond unimpaired throughout the existence
231 of the appointment and for at least 1 year after termination of
232 the appointment.

233 (b) The bond must be in favor of the department and must
234 specifically authorize recovery by the department of the damages
235 sustained in case the licensee commits fraud or unfair practices
236 in connection with his or her business as a public adjuster
237 apprentice. The aggregate liability of the surety for all such
238 damages may not exceed the amount of the bond, and the bond may

909407

Approved For Filing: 4/21/2017 2:54:13 PM

Amendment No.

239 not be terminated by the issuing insurer unless written notice
240 of at least 30 days is given to the licensee and filed with the
241 department.

242 ~~(a) A natural person at least 18 years of age.~~

243 ~~(b) A United States citizen or legal alien who possesses~~
244 ~~work authorization from the United States Bureau of Citizenship~~
245 ~~and Immigration Services.~~

246 ~~(c) Trustworthy and has such business reputation as would~~
247 ~~reasonably ensure that the applicant will conduct business as a~~
248 ~~public adjuster apprentice fairly and in good faith and without~~
249 ~~detriment to the public.~~

250 ~~(2) All applicable license fees, as prescribed in s.~~
251 ~~624.501, must be paid in full before issuance of the license.~~

252 ~~(3) An applicant must pass the required written~~
253 ~~examination before a license may be issued.~~

254 ~~(4) An applicant must have received designation as an~~
255 ~~Accredited Claims Adjuster (ACA), as a Certified Adjuster (CA),~~
256 ~~or as a Certified Claims Adjuster (CCA) after completion of~~
257 ~~training that qualifies the applicant to engage in the business~~
258 ~~of a public adjuster apprentice fairly and without injury to the~~
259 ~~public. Such training and instruction must address adjusting~~
260 ~~damages and losses under insurance contracts, the terms and~~
261 ~~effects of insurance contracts, and knowledge of the laws of~~
262 ~~this state relating to insurance contracts.~~

263 ~~(5) At the time of application for license as a public~~

909407

Approved For Filing: 4/21/2017 2:54:13 PM

Amendment No.

264 ~~adjuster apprentice, the applicant shall file with the~~
265 ~~department a bond executed and issued by a surety insurer~~
266 ~~authorized to transact such business in this state in the amount~~
267 ~~of \$50,000, conditioned upon the faithful performance of his or~~
268 ~~her duties as a public adjuster apprentice under the license for~~
269 ~~which the applicant has applied, and thereafter maintain the~~
270 ~~bond unimpaired throughout the existence of the license and for~~
271 ~~at least 1 year after termination of the license. The bond shall~~
272 ~~be in favor of the department and shall specifically authorize~~
273 ~~recovery by the department of the damages sustained in case the~~
274 ~~licensee commits fraud or unfair practices in connection with~~
275 ~~his or her business as a public adjuster apprentice. The~~
276 ~~aggregate liability of the surety for all such damages may not~~
277 ~~exceed the amount of the bond, and the bond may not be~~
278 ~~terminated by the issuing insurer unless written notice of at~~
279 ~~least 30 days is given to the licensee and filed with the~~
280 ~~department.~~

281 ~~(6) A public adjuster apprentice shall complete at a~~
282 ~~minimum 100 hours of employment per month for 12 months of~~
283 ~~employment under the supervision of a licensed and appointed~~
284 ~~all-lines public adjuster in order to qualify for licensure as a~~
285 ~~public adjuster. The department may adopt rules that establish~~
286 ~~standards for such employment requirements.~~

287 ~~(2)(7)~~ An appointing public adjusting firm may not
288 maintain more than four ~~12~~ public adjuster apprentices

909407

Approved For Filing: 4/21/2017 2:54:13 PM

Amendment No.

289 | simultaneously. However, a supervising public adjuster may not
290 | be responsible for more than one ~~three~~ public adjuster
291 | apprentice ~~apprentices~~ simultaneously and shall be accountable
292 | for the acts of the ~~all~~ public adjuster apprentice ~~apprentices~~
293 | which are related to transacting business as a public adjuster
294 | apprentice. This subsection does not apply to a public adjusting
295 | firm that adjusts claims primarily for commercial entities with
296 | operations in more than one state and that does not directly or
297 | indirectly perform adjusting services for insurers or individual
298 | homeowners.

299 | ~~(8) An apprentice license is effective for 18 months~~
300 | ~~unless the license expires due to lack of maintaining an~~
301 | ~~appointment; is surrendered by the licensee; is terminated,~~
302 | ~~suspended, or revoked by the department; or is canceled by the~~
303 | ~~department upon issuance of a public adjuster license. The~~
304 | ~~department may not issue a public adjuster apprentice license to~~
305 | ~~any individual who has held such a license in this state within~~
306 | ~~2 years after expiration, surrender, termination, revocation, or~~
307 | ~~cancellation of the license.~~

308 | ~~(9) After completing the requirements for employment as a~~
309 | ~~public adjuster apprentice, the licensee may file an application~~
310 | ~~for a public adjuster license. The applicant and supervising~~
311 | ~~public adjuster or public adjusting firm must each file a sworn~~
312 | ~~affidavit, on a form prescribed by the department, verifying~~
313 | ~~that the employment of the public adjuster apprentice meets the~~

909407

Approved For Filing: 4/21/2017 2:54:13 PM

Amendment No.

314 ~~requirements of this section.~~

315 ~~(10) In no event shall A public adjuster apprentice~~
316 ~~licensed under this section perform any of the functions for~~
317 ~~which a public adjuster's license is required after expiration~~
318 ~~of the public adjuster apprentice license without having~~
319 ~~obtained a public adjuster license.~~

320 ~~(3) (11)~~ A public adjuster apprentice has the same
321 authority as the licensed public adjuster or public adjusting
322 firm that employs the apprentice except that an apprentice may
323 not execute contracts for the services of a public adjuster or
324 public adjusting firm ~~and may not solicit contracts for the~~
325 ~~services except under the direct supervision and guidance of the~~
326 ~~supervisory public adjuster.~~ An individual may not be, act as,
327 or hold himself or herself out to be a public adjuster
328 apprentice unless the individual is licensed as an all-lines
329 adjuster and holds a current appointment by a licensed public
330 all-lines adjuster or a public adjusting firm that employs a
331 licensed ~~all-lines~~ public adjuster.

332 Section 11. Section 626.8695, Florida Statutes, is amended
333 to read:

334 626.8695 Primary adjuster.-

335 (1) Each business location established by an adjuster,
336 ~~person operating an adjusting firm, a corporation, or an~~
337 association ~~and each location of a multiple location adjusting~~
338 ~~firm~~ must designate with the department a primary adjuster who

909407

Approved For Filing: 4/21/2017 2:54:13 PM

Amendment No.

339 is licensed and appointed to adjust the insurance claims
340 adjusted by the business location.

341 (2) An adjusting firm and each of its branch firms shall
342 designate a primary adjuster ~~for each such firm or location~~ and
343 ~~must~~ file with the department, at the department's designated
344 website, the name and license number of such primary adjuster
345 and the physical address of the adjusting firm or branch firm
346 location where he or she is the primary adjuster, ~~on a form~~
347 ~~approved by the department.~~ The designation of the primary
348 adjuster may be changed at the option of the adjusting firm. Any
349 such change is effective upon notification to the department.
350 Notice of change must be provided ~~sent~~ to the department within
351 30 days after such change.

352 (3)-(2)-(a) For purposes of this section, a "primary
353 adjuster" is the licensed adjuster who is responsible for the
354 ~~hiring and~~ supervision of all individuals within an adjusting
355 firm location who act ~~deal with the public and who acts~~ in the
356 capacity of a ~~public adjuster as defined in s. 626.854,~~ or an
357 ~~independent~~ adjuster as defined in this chapter ~~s. 626.855.~~ An
358 adjuster may be designated as a primary adjuster for more than
359 ~~only~~ one adjusting firm location provided no person engages in
360 activity requiring licensure as an adjuster at any location when
361 an adjuster is not physically present.

362 (4)-(b) For purposes of this section, an "adjusting firm"
363 is a location where an independent or public adjuster is engaged

909407

Approved For Filing: 4/21/2017 2:54:13 PM

Amendment No.

364 in the business of insurance.

365 ~~(5)(3)~~ The department may suspend or revoke the license of
366 the primary adjuster if the adjusting firm employs or contracts
367 any person who has had a license denied or any person whose
368 license is currently suspended or revoked. However, if a person
369 has been denied a license for failure to pass a required
370 examination, he or she may be employed or contracted to perform
371 clerical or administrative functions for which licensure is not
372 required.

373 ~~(6)(4)~~ The primary adjuster in an ~~unincorporated~~ adjusting
374 firm, ~~or the primary adjuster in an incorporated adjusting firm~~
375 ~~in which no officer, director, or stockholder is an adjuster,~~ is
376 ~~responsible and~~ accountable for misconduct or violations of this
377 code committed by the primary adjuster or by any other person
378 ~~the acts of salaried employees~~ under his or her direct
379 supervision ~~and control~~ while acting on behalf of the adjusting
380 firm. This section does not render a primary adjuster ~~Nothing in~~
381 ~~this section renders any person~~ criminally liable for an ~~or~~
382 ~~subject to any disciplinary proceedings for any act unless the~~
383 primary adjuster ~~person~~ personally committed the act or knew or
384 should have known of the act and of the facts constituting a
385 violation of this code.

386 ~~(7)(5)~~ The department may suspend or revoke the license of
387 any adjuster who is employed or contracted by a person whose
388 license is currently suspended or revoked.

909407

Approved For Filing: 4/21/2017 2:54:13 PM

Amendment No.

389 ~~(8)-(6)~~ An adjusting firm location may not conduct the
390 business of insurance unless a primary adjuster is designated
391 and provides services to the firm at all times. ~~If the Failure~~
392 ~~of the person operating the adjusting firm to designate a~~
393 primary adjuster designated with the department ends his or her
394 affiliation with the firm for any reason and if the firm fails
395 to designate another primary adjuster, as required in subsection
396 (2), within 90 days, the firm license automatically expires on
397 the 91st day after the date the designated primary adjuster
398 ended his or her affiliation with ~~for the firm, or for each~~
399 ~~location, as applicable, on a form prescribed by the department~~
400 ~~within 30 days after inception of the firm or change of primary~~
401 ~~adjuster designation, constitutes grounds for requiring the~~
402 ~~adjusting firm to obtain an adjusting firm license pursuant to~~
403 ~~s. 626.8696.~~

404 ~~(9)-(7)~~ Any adjusting firm may determine a request, ~~on a~~
405 ~~form prescribed by the department, verification from the~~
406 ~~department of any person's current licensure status by~~
407 submitting an appointment request. ~~If a request is mailed to the~~
408 ~~office~~ within 5 working days after the date an adjuster is
409 hired. ~~If,~~ and the department subsequently notifies the
410 adjusting firm that its appointee's ~~an employee's~~ license is
411 currently suspended, revoked, or has been denied, the license of
412 the primary adjuster may ~~shall~~ not be revoked or suspended if
413 the unlicensed person is immediately dismissed from employment

909407

Approved For Filing: 4/21/2017 2:54:13 PM

Amendment No.

414 as an adjuster with the firm.

415 Section 12. Section 626.872, Florida Statutes, is
416 repealed.

417 Section 13. Subsection (1) of section 626.874, Florida
418 Statutes, is amended to read:

419 626.874 Catastrophe or emergency adjusters.—

420 (1) In the event of a catastrophe or emergency, the
421 department may issue a license, for the purposes and under the
422 conditions and for the period of emergency as it shall
423 determine, to persons who are residents or nonresidents of this
424 state, who are at least 18 years of age, who are United States
425 citizens or legal aliens who possess work authorization from the
426 United States Bureau of Citizenship and Immigration Services,
427 and who are not licensed adjusters under this part but who have
428 been designated and certified to it as qualified to act as
429 adjusters ~~by all-lines resident adjusters,~~ by an authorized
430 insurer, ~~or by a licensed general lines agent~~ to adjust claims,
431 losses, or damages under policies or contracts of insurance
432 issued by such insurers, or by the primary adjuster of an
433 independent adjusting firm contracted with an authorized insurer
434 to adjust claims on behalf of the insurer. The fee for the
435 license is as provided in s. 624.501(12)(c).

436 Section 14. Subsection (2) of section 626.875, Florida
437 Statutes, is amended to read:

438 626.875 Office and records.—

909407

Approved For Filing: 4/21/2017 2:54:13 PM

Amendment No.

439 (2) The records of the adjuster relating to a particular
440 claim or loss shall be so retained in the adjuster's place of
441 business for a period of not less than 5 ~~3~~ years after
442 completion of the adjustment. This provision shall not be deemed
443 to prohibit return or delivery to the insurer or insured of
444 documents furnished to or prepared by the adjuster and required
445 by the insurer or insured to be returned or delivered thereto.

446 Section 15. Section 626.876, Florida Statutes, is amended
447 to read:

448 626.876 Exclusive employment; public adjusters, all-lines
449 ~~independent~~ adjusters.-

450 (1) An individual licensed ~~and appointed~~ as a public
451 adjuster may not be simultaneously licensed as an all-lines
452 adjuster employed during the same period by more than one public
453 adjuster or public adjuster firm or corporation.

454 (2) An individual licensed as an all-lines adjuster and
455 appointed as an independent adjuster, a company employee
456 adjuster, or a public adjuster apprentice may not be
457 simultaneously appointed, contracted, or employed as an adjuster
458 that requires a different appointment type during the same
459 period by more than one independent adjuster or independent
460 adjuster firm or corporation.

461 Section 16. Section 626.879, Florida Statutes, is
462 repealed.

463 Section 17. This act shall take effect January 1, 2018.

909407

Approved For Filing: 4/21/2017 2:54:13 PM

Amendment No.

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T I T L E A M E N D M E N T
Remove everything before the enacting clause and insert:
A bill to be entitled
An act relating to insurance adjusters; amending s.
626.015, F.S.; conforming a cross-reference; amending
s. 626.854, F.S.; redefining the term "public
adjuster"; deleting a certain prohibited act of a
public adjuster; deleting a provision specifying the
method for an insured or claimant to provide certain
notice to an insurer; providing construction relating
to certain limitations on insurance claim payments and
public adjuster compensation; revising a prohibition
against certain entities relating to a contract or
power of attorney that vests certain authority in a
property insurance claim; conforming a cross-
reference; prohibiting persons from conducting certain
activities relating to insurance claims; providing an
exception for attorneys and public adjusters;
repealing s. 626.8541, F.S., relating to public
adjuster apprentices; amending s. 626.8548, F.S.;
redefining the term "all-lines adjuster"; creating s.
626.8561, F.S.; defining the term "public adjuster
apprentice"; amending s. 626.8584, F.S.; redefining

909407

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Amendment No.

489 the term "nonresident all-lines adjuster"; amending s.
490 626.861, F.S.; revising construction relating to
491 employees of an insurer; amending s. 626.864, F.S.;
492 revising the permissible appointments of all-lines
493 adjusters; amending s. 626.865, F.S.; revising the
494 qualifications for licensure for public adjusters;
495 amending s. 626.8651, F.S.; requiring public adjuster
496 apprentices to be appointed, rather than licensed, by
497 the department; specifying qualifications for such
498 appointments; revising requirements and limitations
499 for public adjusting firms and public adjusters who
500 supervise public adjuster apprentices; revising
501 certain prohibited acts and exceptions to such acts of
502 public adjuster apprentices; conforming provisions to
503 changes made by the act; amending s. 626.8695, F.S.;
504 revising requirements for designating primary
505 adjusters; redefining the term "primary adjuster";
506 revising the accountability of a primary adjuster for
507 persons under his or her supervision; revising a
508 prohibition against an adjusting firm location
509 conducting insurance business under certain
510 circumstances; revising procedures for an adjusting
511 firm to determine a person's current licensure status;
512 repealing s. 626.872, F.S., relating to all-lines
513 adjuster temporary licenses; amending s. 626.874,

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Amendment No.

514 F.S.; revising conditions for the department to issue
515 adjuster licenses in the event of catastrophes or
516 emergencies; amending s. 626.875, F.S.; revising the
517 minimum time period in a records retention requirement
518 for adjusters; amending s. 626.876, F.S.; revising
519 certain prohibitions relating to exclusive employment
520 of public adjusters, all-lines adjusters, and
521 appointed independent adjusters; repealing s. 626.879,
522 F.S., relating to pools of insurance adjusters;
523 providing an effective date.

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