

By the Committees on Appropriations; and Banking and Insurance;
and Senator Garcia

576-04381-17

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1 A bill to be entitled
2 An act relating to insurance adjusters; amending s.
3 626.015, F.S.; conforming a cross-reference; amending
4 s. 626.854, F.S.; redefining the term "public
5 adjuster"; deleting a certain prohibited act of a
6 public adjuster; deleting a provision specifying the
7 methods for an insured or claimant to provide certain
8 notice to an insurer; providing construction relating
9 to certain limitations on insurance claim payments and
10 public adjuster compensation; revising a prohibition
11 against certain entities relating to a contract or
12 power of attorney that vests certain authority in a
13 property insurance claim; conforming a cross-
14 reference; prohibiting persons from conducting certain
15 activities relating to insurance claims; providing an
16 exception for attorneys and public adjusters;
17 repealing s. 626.8541, F.S., relating to public
18 adjuster apprentices; amending s. 626.8548, F.S.;
19 redefining the term "all-lines adjuster"; creating s.
20 626.8561, F.S.; defining the term "public adjuster
21 apprentice"; amending s. 626.8584, F.S.; redefining
22 the term "nonresident all-lines adjuster"; amending s.
23 626.861, F.S.; revising construction relating to
24 employees of an insurer; amending s. 626.864, F.S.;
25 revising the permissible appointments of all-lines
26 adjusters; amending s. 626.865, F.S.; revising the
27 qualifications for licensure for public adjusters;
28 amending s. 626.8651, F.S.; requiring public adjuster
29 apprentices to be appointed, rather than licensed, by

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30 the Department of Financial Services; specifying
31 qualifications for such appointments; revising
32 requirements and limitations for public adjusting
33 firms and public adjusters who supervise public
34 adjuster apprentices; revising certain prohibited acts
35 and exceptions to such acts of public adjuster
36 apprentices; conforming provisions to changes made by
37 the act; amending s. 626.8695, F.S.; revising
38 requirements for designating primary adjusters;
39 redefining the term "primary adjuster"; revising the
40 accountability of a primary adjuster for persons under
41 his or her supervision; revising a prohibition against
42 an adjusting firm location conducting insurance
43 business under certain circumstances; revising
44 procedures for an adjusting firm to determine a
45 person's current licensure status; repealing s.
46 626.872, F.S., relating to all-lines adjuster
47 temporary licenses; amending s. 626.874, F.S.;
48 revising conditions for the department to issue
49 adjuster licenses in the event of catastrophes or
50 emergencies; amending s. 626.875, F.S.; revising the
51 minimum time period for a records retention
52 requirement for adjusters; amending s. 626.876, F.S.;
53 revising certain prohibitions relating to exclusive
54 employment of public adjusters and specified all-lines
55 adjusters; repealing s. 626.879, F.S., relating to
56 pools of insurance adjusters; providing an effective
57 date.

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59 Be It Enacted by the Legislature of the State of Florida:

60
61 Section 1. Subsection (1) of section 626.015, Florida
62 Statutes, is amended to read:

63 626.015 Definitions.—As used in this part:

64 (1) "Adjuster" means a public adjuster as defined in s.
65 626.854, ~~a public adjuster apprentice as defined in s. 626.8541,~~
66 or an all-lines adjuster as defined in s. 626.8548.

67 Section 2. Present subsections (7) through (19) of section
68 626.854, Florida Statutes, are renumbered as subsections (6)
69 through (18), respectively, subsection (1) and present
70 subsections (6), (7), (11), (18), and (19) are amended, and a
71 new subsection (19) is added to that section, to read:

72 626.854 "Public adjuster" defined; prohibitions.—The
73 Legislature finds that it is necessary for the protection of the
74 public to regulate public insurance adjusters and to prevent the
75 unauthorized practice of law.

76 (1) A "public adjuster" is any person, except a duly
77 licensed attorney at law as exempted under s. 626.860, who, for
78 money, commission, or any other thing of value, directly or
79 indirectly prepares, completes, or files an insurance claim ~~form~~
80 for an insured or third-party claimant or who, for money,
81 commission, or any other thing of value, acts on behalf of, or
82 aids an insured or third-party claimant in negotiating for or
83 effecting the settlement of a claim or claims for loss or damage
84 covered by an insurance contract or who advertises for
85 employment as an adjuster of such claims. The term also includes
86 any person who, for money, commission, or any other thing of
87 value, directly or indirectly solicits, investigates, or adjusts

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88 such claims on behalf of a public adjuster, an insured, or a
89 third-party claimant. The term does not include a person who
90 photographs or inventories damaged personal property or business
91 personal property or a person performing duties under another
92 professional license, if such person does not otherwise solicit,
93 adjust, investigate, or negotiate for or attempt to effect the
94 settlement of a claim.

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

102 (6)(7) An insured or claimant may cancel a public
103 adjuster's contract to adjust a claim without penalty or
104 obligation within 3 business days after the date on which the
105 contract is executed or within 3 business days after the date on
106 which the insured or claimant has notified the insurer of the
107 claim, ~~by phone or in writing,~~ whichever is later. The public
108 adjuster's contract must disclose to the insured or claimant his
109 or her right to cancel the contract and advise the insured or
110 claimant that notice of cancellation must be submitted in
111 writing and sent by certified mail, return receipt requested, or
112 other form of mailing that provides proof thereof, to the public
113 adjuster at the address specified in the contract; provided,
114 during any state of emergency as declared by the Governor and
115 for 1 year after the date of loss, the insured or claimant has 5
116 business days after the date on which the contract is executed

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117 to cancel a public adjuster's contract.

118 (10) (a) ~~(11) (a)~~ If a public adjuster enters into a contract
119 with an insured or claimant to reopen a claim or file a
120 supplemental claim that seeks additional payments for a claim
121 that has been previously paid in part or in full or settled by
122 the insurer, the public adjuster may not charge, agree to, or
123 accept from any source compensation, payment, commission, fee,
124 or any other thing of value based on a previous settlement or
125 previous claim payments by the insurer for the same cause of
126 loss. The charge, compensation, payment, commission, fee, or any
127 other thing of value must be based only on the claim payments or
128 settlement obtained through the work of the public adjuster
129 after entering into the contract with the insured or claimant.
130 Compensation for the reopened or supplemental claim may not
131 exceed 20 percent of the reopened or supplemental claim payment.
132 In no event shall the contracts described in this paragraph
133 exceed the limitations in paragraph (b).

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

137 1. Ten percent of the amount of insurance claim payments
138 made by the insurer for claims based on events that are the
139 subject of a declaration of a state of emergency by the
140 Governor. This provision applies to claims made during the year
141 after the declaration of emergency. After that year, the
142 limitations in subparagraph 2. apply.

143 2. Twenty percent of the amount of insurance claim payments
144 made by the insurer for claims that are not based on events that
145 are the subject of a declaration of a state of emergency by the

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146 Governor.

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

150 (d)~~(e)~~ Any maneuver, shift, or device through which the
151 limits on compensation set forth in this subsection are exceeded
152 is a violation of this chapter punishable as provided under s.
153 626.8698.

154 (17)~~(18)~~ A public adjuster, a public adjuster apprentice,
155 or a person acting on behalf of an adjuster or apprentice may
156 not enter into a contract or accept a power of attorney that
157 vests in the public adjuster, the public adjuster apprentice, or
158 the person acting on behalf of the adjuster or apprentice the
159 effective authority to choose the persons or entities that will
160 perform repair work in a property insurance claim or provide
161 goods or services that will require the insured or third-party
162 claimant to expend funds in excess of those payable to the
163 public adjuster under the terms of the contract for adjusting
164 services.

165 (18)~~(19)~~ Subsections (5)-(17) ~~(5)-(18)~~ apply only to
166 residential property insurance policies and condominium unit
167 owner policies as described in s. 718.111(11).

168 (19) Except as otherwise provided in this chapter, no
169 person, except an attorney at law or a public adjuster, may for
170 money, commission, or any other thing of value, directly or
171 indirectly:

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

174 (b) Act on behalf of or aid an insured or a third-party

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175 claimant in negotiating for or effecting the settlement of a
176 claim for loss or damage covered by an insurance contract;

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

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

180 Section 3. Section 626.8541, Florida Statutes, is repealed.

181 Section 4. Section 626.8548, Florida Statutes, is amended
182 to read:

183 626.8548 "All-lines adjuster" defined.—An "all-lines
184 adjuster" is a person who, for money, commission, or any other
185 thing of value, directly or indirectly ~~is self-employed or~~
186 ~~employed by an insurer, a wholly owned subsidiary of an insurer,~~
187 ~~or an independent adjusting firm or other independent adjuster,~~
188 and who undertakes on behalf of a public adjuster or an insurer
189 ~~or other insurers under common control or ownership~~ to ascertain
190 and determine the amount of any claim, loss, or damage payable
191 under an insurance contract or undertakes to effect settlement
192 of such claim, loss, or damage. The term also includes any
193 person who, for money, commission, or any other thing of value,
194 directly or indirectly solicits claims on behalf of a public
195 adjuster, but does not include a paid spokesperson used as part
196 of a written or an electronic advertisement or a person who
197 photographs or inventories damaged personal property or business
198 personal property if such person does not otherwise adjust,
199 investigate, or negotiate for or attempt to effect the
200 settlement of a claim. The term does not apply to life insurance
201 or annuity contracts.

202 Section 5. Section 626.8561, Florida Statutes, is created
203 to read:

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204 626.8561 "Public adjuster apprentice" defined.—The term
205 "public adjuster apprentice" means a person licensed as an all-
206 lines adjuster who:

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

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

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

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

216 626.8584 "Nonresident all-lines adjuster" defined.—A
217 "nonresident all-lines adjuster" means a person who:

218 (3) Is licensed as an all-lines adjuster and self-appointed
219 or appointed and employed or contracted by an independent
220 adjusting firm or other independent adjuster, by an insurer
221 admitted to do business in this state or a wholly owned
222 subsidiary of an insurer admitted to do business in this state,
223 or by a public adjuster or a public adjusting firm ~~other~~
224 ~~insurers under the common control or ownership of such insurer.~~

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

227 626.861 Insurer's officers, insurer's employees, reciprocal
228 insurer's representatives; adjustments by.—

229 (1) ~~Nothing in~~ This part may not ~~shall~~ be construed to
230 prevent an executive officer of any insurer, an ~~or a~~ regularly
231 ~~salaries~~ employee of an insurer handling claims with respect to
232 health insurance, an employee of an insurer handling claims with

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233 respect to residential property insurance in which the amount of
234 coverage for the applicable type of loss is contractually
235 limited to \$500 or less, or the duly designated attorney or
236 agent authorized and acting for subscribers to reciprocal
237 insurers, from adjusting any claim loss or damage under any
238 insurance contract of such insurer.

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

241 626.864 Adjuster license types.-

242 (3) An all-lines adjuster may be appointed as an
243 independent adjuster, public adjuster apprentice, or company
244 employee adjuster, but not more than one of these ~~both~~
245 concurrently.

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

248 626.865 Public adjuster's qualifications, bond.-

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

253 (d) Has had sufficient experience, training, or instruction
254 concerning the adjusting of damages or losses under insurance
255 contracts, other than life and annuity contracts, is
256 sufficiently informed as to the terms and effects of the
257 provisions of those types of insurance contracts, and possesses
258 adequate knowledge of the laws of this state relating to such
259 contracts as to enable and qualify him or her to engage in the
260 business of insurance adjuster fairly and without injury to the
261 public or any member thereof with whom the applicant may have

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262 business as a public adjuster, ~~or has been licensed and employed~~
 263 ~~as a resident insurance company adjuster or independent adjuster~~
 264 ~~in this state on a continual basis for the past year.~~

265 (e) Has been licensed in this state as an all-lines
 266 adjuster, and has been appointed on a continual basis for the
 267 previous 6 months ~~is licensed~~ as a public adjuster apprentice
 268 under s. 626.8561, as an independent adjuster under s. 626.855,
 269 or as a company employee adjuster under s. 626.856 ~~under s.~~
 270 ~~626.8651 and complies with the requirements of that license~~
 271 ~~throughout the licensure period.~~

272 Section 10. Section 626.8651, Florida Statutes, is amended
 273 to read:

274 626.8651 Public adjuster apprentice appointment license;
 275 qualifications.—

276 (1)(a) The department shall issue an appointment ~~a license~~
 277 as a public adjuster apprentice to a licensee ~~an applicant~~ who
 278 ~~is~~:

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

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

285 3. Maintains such bond unimpaired throughout the existence
 286 of the appointment and for at least 1 year after termination of
 287 the appointment.

288 (b) The bond must be in favor of the department and must
 289 specifically authorize recovery by the department of the damages
 290 sustained in case the licensee commits fraud or unfair practices

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291 in connection with his or her business as a public adjuster
292 apprentice. The aggregate liability of the surety for all such
293 damages may not exceed the amount of the bond, and the bond may
294 not be terminated by the issuing insurer unless written notice
295 of at least 30 days is given to the licensee and filed with the
296 department.

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

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

301 ~~(c) Trustworthy and has such business reputation as would~~
302 ~~reasonably ensure that the applicant will conduct business as a~~
303 ~~public adjuster apprentice fairly and in good faith and without~~
304 ~~detriment to the public.~~

305 ~~(2) All applicable license fees, as prescribed in s.~~
306 ~~624.501, must be paid in full before issuance of the license.~~

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

309 ~~(4) An applicant must have received designation as an~~
310 ~~Accredited Claims Adjuster (ACA), as a Certified Adjuster (CA),~~
311 ~~or as a Certified Claims Adjuster (CCA) after completion of~~
312 ~~training that qualifies the applicant to engage in the business~~
313 ~~of a public adjuster apprentice fairly and without injury to the~~
314 ~~public. Such training and instruction must address adjusting~~
315 ~~damages and losses under insurance contracts, the terms and~~
316 ~~effects of insurance contracts, and knowledge of the laws of~~
317 ~~this state relating to insurance contracts.~~

318 ~~(5) At the time of application for license as a public~~
319 ~~adjuster apprentice, the applicant shall file with the~~

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320 ~~department a bond executed and issued by a surety insurer~~
321 ~~authorized to transact such business in this state in the amount~~
322 ~~of \$50,000, conditioned upon the faithful performance of his or~~
323 ~~her duties as a public adjuster apprentice under the license for~~
324 ~~which the applicant has applied, and thereafter maintain the~~
325 ~~bond unimpaired throughout the existence of the license and for~~
326 ~~at least 1 year after termination of the license. The bond shall~~
327 ~~be in favor of the department and shall specifically authorize~~
328 ~~recovery by the department of the damages sustained in case the~~
329 ~~licensee commits fraud or unfair practices in connection with~~
330 ~~his or her business as a public adjuster apprentice. The~~
331 ~~aggregate liability of the surety for all such damages may not~~
332 ~~exceed the amount of the bond, and the bond may not be~~
333 ~~terminated by the issuing insurer unless written notice of at~~
334 ~~least 30 days is given to the licensee and filed with the~~
335 ~~department.~~

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

342 ~~(2)(7)~~ An appointing public adjusting firm may not maintain
343 more than four ~~12~~ public adjuster apprentices simultaneously.
344 However, a supervising public adjuster may not be responsible
345 for more than one ~~three~~ public adjuster apprentice ~~apprentices~~
346 simultaneously and shall be accountable for the acts of the ~~all~~
347 public adjuster apprentice ~~apprentices~~ which are related to
348 transacting business as a public adjuster apprentice. This

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349 subsection does not apply to a public adjusting firm that
350 adjusts claims primarily for commercial entities with operations
351 in more than one state and that does not directly or indirectly
352 perform adjusting services for insurers or individual
353 homeowners.

354 ~~(8) An apprentice license is effective for 18 months unless~~
355 ~~the license expires due to lack of maintaining an appointment;~~
356 ~~is surrendered by the licensee; is terminated, suspended, or~~
357 ~~revoked by the department; or is canceled by the department upon~~
358 ~~issuance of a public adjuster license. The department may not~~
359 ~~issue a public adjuster apprentice license to any individual who~~
360 ~~has held such a license in this state within 2 years after~~
361 ~~expiration, surrender, termination, revocation, or cancellation~~
362 ~~of the license.~~

363 ~~(9) After completing the requirements for employment as a~~
364 ~~public adjuster apprentice, the licensee may file an application~~
365 ~~for a public adjuster license. The applicant and supervising~~
366 ~~public adjuster or public adjusting firm must each file a sworn~~
367 ~~affidavit, on a form prescribed by the department, verifying~~
368 ~~that the employment of the public adjuster apprentice meets the~~
369 ~~requirements of this section.~~

370 ~~(10) In no event shall A public adjuster apprentice~~
371 ~~licensed under this section perform any of the functions for~~
372 ~~which a public adjuster's license is required after expiration~~
373 ~~of the public adjuster apprentice license without having~~
374 ~~obtained a public adjuster license.~~

375 (3)~~(11)~~ A public adjuster apprentice has the same authority
376 as the licensed public adjuster or public adjusting firm that
377 employs the apprentice except that an apprentice may not execute

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378 contracts for the services of a public adjuster or public
379 adjusting firm ~~and may not solicit contracts for the services~~
380 ~~except under the direct supervision and guidance of the~~
381 ~~supervisory public adjuster~~. An individual may not be, act as,
382 or hold himself or herself out to be a public adjuster
383 apprentice unless the individual is licensed as an all-lines
384 adjuster and holds a current appointment by a licensed public
385 all-lines adjuster or a public adjusting firm that employs a
386 licensed ~~all-lines~~ public adjuster.

387 Section 11. Section 626.8695, Florida Statutes, is amended
388 to read:

389 626.8695 Primary adjuster.—

390 (1) Each business location established by an adjuster,
391 ~~person operating an adjusting firm, a corporation, or an~~
392 association and each location of a multiple location adjusting
393 ~~firm~~ must designate with the department a primary adjuster who
394 is licensed and appointed to adjust the insurance claims
395 adjusted by the business location.

396 (2) An adjusting firm and each of its branch firms shall
397 designate a primary adjuster for each such firm or location and
398 ~~must~~ file with the department, at the department's designated
399 website, the name and license number of such primary adjuster
400 and the physical address of the adjusting firm or branch firm
401 location where he or she is the primary adjuster, ~~on a form~~
402 ~~approved by the department~~. The designation of the primary
403 adjuster may be changed at the option of the adjusting firm. Any
404 such change is effective upon notification to the department.
405 Notice of change must be provided ~~sent~~ to the department within
406 30 days after such change.

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407 (3)~~(2)~~(a) For purposes of this section, a "primary
408 adjuster" is the licensed adjuster who is responsible for the
409 ~~hiring and~~ supervision of all individuals within an adjusting
410 firm location who act ~~deal with the public and who acts~~ in the
411 capacity of ~~a public adjuster as defined in s. 626.854, or an~~
412 ~~independent~~ adjuster as defined in this chapter ~~s. 626.855~~. An
413 adjuster may be designated as a primary adjuster for more than
414 ~~only~~ one adjusting firm location provided no person engages in
415 activity requiring licensure as an adjuster at any location when
416 an adjuster is not physically present.

417 (4)~~(b)~~ For purposes of this section, an "adjusting firm" is
418 a location where an independent or public adjuster is engaged in
419 the business of insurance.

420 (5)~~(3)~~ The department may suspend or revoke the license of
421 the primary adjuster if the adjusting firm employs or contracts
422 any person who has had a license denied or any person whose
423 license is currently suspended or revoked. However, if a person
424 has been denied a license for failure to pass a required
425 examination, he or she may be employed or contracted to perform
426 clerical or administrative functions for which licensure is not
427 required.

428 (6)~~(4)~~ The primary adjuster in an ~~unincorporated~~ adjusting
429 firm, ~~or the primary adjuster in an incorporated adjusting firm~~
430 ~~in which no officer, director, or stockholder is an adjuster,~~ is
431 ~~responsible and~~ accountable for misconduct or violations of this
432 code committed by the primary adjuster or by any other person
433 ~~the acts of salaried employees~~ under his or her direct
434 supervision ~~and control~~ while acting on behalf of the adjusting
435 firm. This section does not render a primary adjuster ~~Nothing in~~

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436 ~~this section renders any person~~ criminally liable for an ~~or~~
437 ~~subject to any disciplinary proceedings for any act unless the~~
438 primary adjuster ~~person~~ personally committed the act or knew or
439 should have known of the act and of the facts constituting a
440 violation of this code.

441 (7)~~(5)~~ The department may suspend or revoke the license of
442 any adjuster who is employed or contracted by a person whose
443 license is currently suspended or revoked.

444 (8)~~(6)~~ An adjusting firm location may not conduct the
445 business of insurance unless a primary adjuster is designated
446 and provides services to the firm at all times. If the Failure
447 of the person operating the adjusting firm to designate a
448 primary adjuster designated with the department ends his or her
449 affiliation with the firm for any reason and if the firm fails
450 to designate another primary adjuster, as required in subsection
451 (2), within 90 days, the firm license automatically expires on
452 the 91st day after the date the designated primary adjuster
453 ended his or her affiliation with ~~for the firm, or for each~~
454 ~~location, as applicable, on a form prescribed by the department~~
455 ~~within 30 days after inception of the firm or change of primary~~
456 ~~adjuster designation, constitutes grounds for requiring the~~
457 ~~adjusting firm to obtain an adjusting firm license pursuant to~~
458 ~~s. 626.8696.~~

459 (9)~~(7)~~ Any adjusting firm may determine a request, ~~on a~~
460 ~~form prescribed by the department, verification from the~~
461 ~~department of any person's current licensure status~~ by
462 submitting an appointment request. If a request is mailed to the
463 ~~office~~ within 5 working days after the date an adjuster is
464 hired. If, ~~and~~ the department subsequently notifies the

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465 adjusting firm that its appointee's ~~an employee's~~ license is
466 currently suspended, revoked, or has been denied, the license of
467 the primary adjuster may ~~shall~~ not be revoked or suspended if
468 the unlicensed person is immediately dismissed from employment
469 as an adjuster with the firm.

470 Section 12. Section 626.872, Florida Statutes, is repealed.

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

473 626.874 Catastrophe or emergency adjusters.—

474 (1) In the event of a catastrophe or emergency, the
475 department may issue a license, for the purposes and under the
476 conditions and for the period of emergency as it shall
477 determine, to persons who are residents or nonresidents of this
478 state, who are at least 18 years of age, who are United States
479 citizens or legal aliens who possess work authorization from the
480 United States Bureau of Citizenship and Immigration Services,
481 and who are not licensed adjusters under this part but who have
482 been designated and certified to it as qualified to act as
483 adjusters ~~by all-lines resident adjusters,~~ by an authorized
484 insurer, ~~or by a licensed general lines agent~~ to adjust claims,
485 losses, or damages under policies or contracts of insurance
486 issued by such insurers, or by the primary adjuster of an
487 independent adjusting firm contracted with an authorized insurer
488 to adjust claims on behalf of the insurer. The fee for the
489 license is as provided in s. 624.501(12)(c).

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

492 626.875 Office and records.—

493 (2) The records of the adjuster relating to a particular

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494 claim or loss shall be so retained in the adjuster's place of
495 business for a period of not less than 5 ~~3~~ years after
496 completion of the adjustment. This provision shall not be deemed
497 to prohibit return or delivery to the insurer or insured of
498 documents furnished to or prepared by the adjuster and required
499 by the insurer or insured to be returned or delivered thereto.

500 Section 15. Section 626.876, Florida Statutes, is amended
501 to read:

502 626.876 Exclusive employment; public adjusters, all-lines
503 ~~independent~~ adjusters.-

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

508 (2) An individual licensed as an all-lines adjuster and
509 appointed as an independent adjuster, a company employee
510 adjuster, or a public adjuster apprentice may not be
511 simultaneously appointed, contracted, or employed as an adjuster
512 that requires a different appointment type ~~during the same~~
513 ~~period by more than one independent adjuster or independent~~
514 ~~adjuster firm or corporation.~~

515 Section 16. Section 626.879, Florida Statutes, is repealed.

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