



518486

LEGISLATIVE ACTION

Senate	.	House
Comm: WD	.	
03/19/2021	.	
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The Committee on Rules (Brandes) recommended the following:

1           **Senate Amendment to Amendment (670126) (with title**  
2 **amendment)**

3  
4           Between lines 4 and 5

5 insert:

6           Section 1. Section 626.5813, Florida Statutes, is created  
7 to read:

8           626.5813 Claims adjusting.-

9           (1) (a) As used in this section, the term "claims adjusting"  
10 means directly or indirectly:

11           1. Attempting or undertaking to ascertain and determine the



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12 amount of any claim, loss, or damage payable under an insurance  
13 contract or undertaking to negotiate or effect settlement of a  
14 claim, loss, or damage under an insurance contract, if such  
15 action results in payment to or receipt of money, commission, or  
16 any other thing of value by the party or parties rendering such  
17 service or persons affiliated with such party or parties; or

18 2. Soliciting services as described in subparagraph 1. or  
19 soliciting an insured or policyholder to file an insurance  
20 claim.

21 (b) The term does not include:

22 1. Paid services as a spokesperson used as part of a  
23 written or an electronic advertisement.

24 2. Paid services as a photographer or videographer used to  
25 capture images of damage.

26 3. Paid services to inventory personal property or business  
27 personal property.

28 4. Discussion or explanation of a bid for construction or  
29 repair services by a licensed contractor under part I of chapter  
30 489, or a subcontractor for a licensed contractor, with a  
31 property owner or the insurer of the property.

32 (2) Except for a duly licensed attorney at law as exempted  
33 under s. 626.860 or an agent as exempted under s. 626.862, a  
34 person may not provide claims adjusting services unless licensed  
35 and appointed as an adjuster under this part.

36 (3) The department may take administrative action and  
37 impose fines against any persons performing claims adjusting,  
38 soliciting, marketing, or any other services under this section  
39 or s. 626.854 without the licensure required under s. 626.112 or  
40 s. 626.854.



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41           (4) This section applies only to property lines of  
42 insurance.

43

44 ===== T I T L E   A M E N D M E N T =====

45 And the title is amended as follows:

46           Delete line 494

47 and insert:

48           An act relating to property insurance; creating s.  
49           626.5813, F.S.; defining the term "claims adjusting";  
50           prohibiting a person from providing claims adjusting  
51           services unless the person meets specified  
52           requirements; authorizing the department to take  
53           administrative actions and impose fines against  
54           persons performing specified activities without  
55           licensure; providing applicability; amending s.