

**AMENDMENTS TO PROPOSED PUBLIC ADJUSTER LEGISLATION  
PREVIOUSLY SUBMITTED TO BILL DRAFTING BY SENATOR FASANO AND  
REPRESENTATIVE ROBAINA**

**AMENDMENT 1**

On page 4, remove lines 11 and 12, and insert:

(5) A public adjuster shall not directly or indirectly through any other person or entity solicit an insured or claimant by any means between the hours of 9:00 p.m. and 8:00 a.m.

(6) A public adjuster shall not directly or indirectly through any other person or entity engage in face-to-face or telephonic solicitation or

**AMENDMENT 2**

On page 4, line 29, after the period, insert:

However, when the event is a storm declared to be a hurricane by the National Hurricane Center, this provision shall apply for a period of 14 days.

(7) It is an unfair and deceptive insurance trade practice pursuant to s. 626.9541 for a public adjuster or any other person to circulate or disseminate any advertisement, announcement, or statement containing any assertion, representation, or statement with respect to the business of insurance, which is untrue, deceptive, or misleading. [RENUMBER SUBSEQUENT SUBSECTIONS]

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### AMENDMENT 3

On page 5, remove lines 10-27, and insert:

(11) A public adjuster shall not charge, agree to, or accept any compensation, payment, commission, fee, or other thing of value based on any claim payments for additional living expenses or:

(a) Based on the amount of a claim payment or payment offer by the insurer that occurred prior to the date that the adjuster and the insured executed a contract with regard to the claim.

(b) Greater than fifteen percent of the amount of an insurance claim payment by the insurer for claims that do not arise out of a storm declared to be a hurricane by the National Hurricane Center.

(c) Greater than ten percent of the amount of an insurance claim payment by the insurer for claims that do arise out of a storm declared to be a hurricane by the National Hurricane Center; except that, if a public adjuster and an insured execute a contract providing for the adjuster to re-open or file a supplemental claim that seeks additional payments on behalf of an insured or claimant for a claim that has been previously paid or settled, the amount may be up to fifteen percent of the amount of the claim payments made by the insurer after the date of the execution of the contract to re-open or file a supplemental claim.

**AMENDMENT 4**

On page 7, line 32, delete the period and insert:

; or

3. Has completed 12 months of employment as a public adjuster apprentice in accordance with s. 626.8651.

**AMENDMENT 5**

On page 8, remove lines 11 and 12.

**AMENDMENT 6**

On page 10, remove lines 4-12.

**AMENDMENT 7**

On page 11, remove lines 3-17 and insert:

(6) A public adjuster apprentice must complete at least 12 months of employment under the supervision of a licensed and appointed all lines public adjuster in order to qualify for licensure as a public adjuster. The

**AMENDMENT 8**

On page 11, lines 27-30, delete:

The department shall terminate a license upon being notified by the employer that the licensee's employment has been terminated, whether voluntarily or involuntarily.

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**AMENDMENT 9**

On page 19, remove lines 28-29, and insert:

claim for the insured or claimant must affirm, under oath given by a notary public, the proof of loss by signing the following statement: "I, . . . , do solemnly, sincerely and truly declare and affirm that I

**AMENDMENT 10**

On page 20, on line 6, after the period, insert:

Pursuant to s. 817.234, a person commits a felony if that person, with the intent to injure, defraud, or deceive any insurer, prepares, presents or causes to be presented a proof of loss in support of a claim under an insurance policy knowing that the proof of loss contains any false, incomplete, or misleading information concerning any fact or thing material to the claim.

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