



SPONSOR: Rep. Stone & Rep. Valihura;
Sen. Blevins

HOUSE OF REPRESENTATIVES

142nd GENERAL ASSEMBLY

HOUSE BILL NO. 279
AS AMENDED BY
HOUSE AMENDMENT NO. 1

AN ACT TO AMEND TITLE 18 OF THE DELAWARE CODE RELATING TO THE LICENSING OF ADJUSTERS.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF DELAWARE:

Section 1. Amend §1702(h), Title 18, Delaware Code by inserting the words "or adjuster" directly after the word "producer" wherever the word "producer" appears therein.

Section 2. Amend §1702(j), Title 18, Delaware Code by inserting the words " or adjuster" directly after the word "producer" and before the word "for".

Section 3. Amend §1702(o), Title 18, Delaware Code by inserting the words "or acting as an adjuster in the negotiation of a claim" directly after the word "purchasers".

Section 4. Amend §1702(x), Title 18, Delaware Code by striking the word "producer" therefrom.

Section 5. Amend §1703, Title 18, Delaware Code by inserting the words "or act as an adjuster" after the words "negotiate insurance".

Section 6. Amend §1704, Title 18, Delaware Code by adding the following as new subsection(c):

"(c) The definition of adjuster shall not be deemed to include, and a license as an adjuster shall not be required of

(1) Attorneys-at-law admitted to practice in this state, when acting in their professional capacity as attorneys and do not advertise or represent that they are an adjuster;

(2) A licensed producer of the insurer to whom claim authority for uncontested and undisputed claims has been granted by the insurer if the producer receives no compensation for performing adjusting services;

- (3) Persons employed only for the purpose of obtaining facts surrounding a loss or furnishing technical assistance to a licensed adjuster, including but not limited to photographers, private investigators, engineers, and handwriting experts;
- (4) Any person who negotiates and/or settles claims arising under life and health insurance policies;
- (5) A person who performs clerical duties for or as an employee of an insurance company or adjuster but who does not participate in negotiations with parties on disputed and/or contested claims;
- (6) Any employee of an insurer who settles subrogation claims between authorized insurers; or"

Section 7. Amend §1705(a), Title 18, Delaware Code by inserting the words "or adjuster" after the word "producer" wherever the word "producer" appears therein.

Section 8. Amend §1706(a), Title 18, Delaware Code by inserting the words "or adjuster" after the word "producer" and before the word "license".

Section 9. Amend §1706(f), Title 18, Delaware Code by inserting the words "or adjuster" after the word "producer" and before the word "is" and by inserting the words "or adjuster" between the words "producer" and the word "license".

Section 10. Amend §1706(f)(2), Title 18, Delaware Code by inserting the words "licensed as an insurance producer or adjuster" directly after the word "entity" and before the word "has" and by inserting the words "or adjuster" directly after the word "producer" and before the word "responsible".

Section 11. Amend §1707(a), Title 18, Delaware Code by inserting the words "or adjuster" after the word "producer" and before the word "license".

Section 12. Amend §1707 (f), Title 18, Delaware Code by inserting the words "or adjuster" directly after the word "producer" and by inserting the words "and adjusters" directly after the word "producers".

Section 13. Amend §1707(g), Title 18, Delaware Code by inserting the words "or adjuster" directly after the word "producer".

Section 14. Amend §1707(h), Title 18, Delaware Code by inserting the words "or adjuster" directly after the word "producer" wherever the word "producer" appears therein.

Section 15. Amend §1707(k), Title 18, Delaware Code by inserting the words "or adjuster" directly after the word "producer".

Section 16. Amend §1707(l), Title 18, Delaware Code by inserting the words "or adjuster" directly after the word "producer" wherever the word "producer" appears therein.

Section 17. Amend §1708(a), Title 18, Delaware Code by inserting the words "or adjuster" after the word "producer".

Section 18. Amend §1708(a)(4), Title 18, Delaware Code by inserting the words "or adjuster" after the word "producer".

Section 19. Amend §1708(b), Title 18, Delaware Code by inserting the words "or adjuster's" after the word "producer's".

Section 20. Amend §1708(c), Title 18, Delaware Code by inserting the words "or adjuster" after the word "producer" wherever the word "producer" appears therein.

Section 21. Amend §1709(a), Title 18, Delaware Code by inserting the words "or adjuster" after the word "producer" wherever the word "producer" appears therein.

Section 22. Amend §1709(b), Title 18, Delaware Code by inserting the words "or adjuster" after the word "producer".

Section 23. Amend §1710, Title 18, Delaware Code by inserting the words "or adjuster" after the word "producer".

Section 24. Amend §1712(a), Title 18, Delaware Code by inserting the words "or adjuster's" after the word "producer's".

Section 25. Amend §1712 (a) (9), Title 18, Delaware Code by inserting the words "or adjuster" after the word "producer".

Section 26. Amend §1717 (b), Title 18, Delaware Code by inserting the words "or adjuster's" after the word "producer's" and before the word "licensee"; by inserting the words "or adjusters" after the word "producers" and before the word "shall"; by inserting the words "or adjuster's" after the word "producer's" and before the word "home"; and by inserting the words "or adjusters" after the word "producers" and before the word "from".

Section 27. Amend §1719 (a), Title 18, Delaware Code by inserting the words "or adjuster" after the word "producer" wherever the word "producer" appears therein.

Section 28. Amend §1719 (b), Title 18, Delaware Code by inserting the words "or adjuster" after the word "producer" wherever the word "producer" appears therein.