

This Document can be made available
in alternative formats upon request

State of Minnesota

HOUSE OF REPRESENTATIVES

EIGHTY-NINTH SESSION

H. F. No. **3245**

03/16/2016 Authored by Loonan and Newton

The bill was read for the first time and referred to the Committee on Commerce and Regulatory Reform

1.1 A bill for an act
1.2 relating to commerce; regulating public adjusters; modifying the definition of a
1.3 public adjuster to include certain persons who negotiate on behalf of an insured
1.4 or urge or encourage an insured to file a claim for loss or damages; amending
1.5 Minnesota Statutes 2014, section 72B.02, subdivision 6.

1.6 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.7 Section 1. Minnesota Statutes 2014, section 72B.02, subdivision 6, is amended to read:

1.8 Subd. 6. **Public adjuster.** "Public adjuster" means any person who, for
1.9 compensation or any other thing of value on behalf of the insured:

1.10 (1) acts or aids, solely in relation to first-party claims arising under insurance
1.11 contracts that insure the real or personal property of the insured, on behalf of an insured
1.12 in negotiating for, or effecting the settlement of, a claim for loss or damage covered
1.13 by an insurance contract;

1.14 (2) advertises for employment as a public adjuster of insurance claims or solicits
1.15 business or represents to the public as a public adjuster of first-party insurance claims
1.16 for losses or damages arising out of policies of insurance that insure real or personal
1.17 property; ~~or~~

1.18 (3) directly or indirectly solicits business, investigates or adjusts losses, or advises an
1.19 insured about first-party claims for losses or damages arising out of policies of insurance
1.20 that insure real or personal property for another person engaged in the business of
1.21 adjusting losses or damages covered by an insurance policy, for the insured; or

1.22 (4) with respect to first-party claims, offers to negotiate or negotiates on behalf of
1.23 an insured or urges or encourages an insured to file a claim for loss or damages and the
1.24 person is directly or indirectly engaged in, employed by, or otherwise affiliated with, a
1.25 business that performs repairs of the loss or damages.