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HOUSE FLOOR AMENDMENTS

2022 Regular Session

Amendments proposed by Representative Firment to Reengrossed Senate Bill No. 186 by Senator Henry

1 AMENDMENT NO. 1

2 In Amendment No. 1 by the House Committee on Insurance (#4985), on page 1, line 2,
3 change "(B)," to "(B), the introductory paragraph of (D),"

4 AMENDMENT NO. 2

5 In Amendment No. 2 by the House Committee on Insurance (#4985), on page 1, delete line
6 5 in its entirety and insert in lieu thereof the following:

7 "22:1704(D)(5) and (E)(6)""

8 AMENDMENT NO. 3

9 In Amendment No. 3 by the House Committee on Insurance (#4985), on page 1, line 7,
10 change "(B)," to "(B), the introductory paragraph of (D),"

11 AMENDMENT NO. 4

12 In Amendment No. 4 by the House Committee on Insurance (#4985), on page 1, delete lines
13 9 and 10 in their entirety and insert in lieu thereof the following:

14 "On page 1, line 9, after "reenacted" and before "to read" insert "and R.S.
15 22:1704(D)(5) and (E)(6) are hereby enacted"

16 AMENDMENT NO. 5

17 On page 1, line 12, after "A." and before "Except" insert "(1)"

18 AMENDMENT NO. 6

19 On page 1, delete lines 14 through 17 in their entirety, on page 2, delete lines 1 through 10
20 in their entirety, and insert in lieu thereof the following:

21 "charge a reasonable fee that includes an hourly fee or a full flat fee, but
22 the public adjuster's fee shall not exceed ten percent of the difference between
23 the amount paid, or committed in writing to be paid, by the insurer prior to the
24 retention of the public adjuster and the amount committed to be paid by the
25 insurer during the term of the public adjuster's retention. The public adjuster
26 shall disclose the flat fee option and the hourly fee option in the contract or
27 agreement with the insured.

28 (2) A public adjuster shall not solicit for or enter into any contract or
29 arrangement ~~between with~~ an insured ~~and a public adjuster which that~~ provides for
30 payment of a fee to the public adjuster which is contingent upon, or calculated as a
31 percentage of, the amount of any claim or claims paid to or on behalf of an insured
32 by the insurer, ~~and any~~ Any such contract ~~shall be against public policy and is~~ shall
33 be considered null and void, except that a percentage may be used to limit the

1 hourly fee or full flat fee of the public adjuster as provided in Paragraph (1) of
2 this Subsection.

3 B. A public adjuster shall not pay a commission, service fee, full flat fee,
4 hourly fee, or other valuable consideration ~~to another~~ for public"

5 AMENDMENT NO. 7

6 On page 2, delete lines 21 through 23 in their entirety and insert in lieu thereof the following:

7 "(11) Full salary, ~~The fee, compensation, or other considerations charged~~
8 by the public adjuster is to receive as consideration for services provided to the
9 insured."

10 AMENDMENT NO. 8

11 In Amendment No. 6 by the House Committee on Insurance (#4985), on page 1, delete lines
12 21 and 22 in their entirety

13 AMENDMENT NO. 9

14 In Amendment No. 6 by the House Committee on Insurance (#4985), on page 1, line 23,
15 change "(3)" to "(2)"

16 AMENDMENT NO. 10

17 In Amendment No. 6 by the House Committee on Insurance (#4985), on page 1, delete line
18 27 in its entirety and insert in lieu thereof the following:

19 "* * *
20 D. A public adjuster contract ~~may~~ shall not contain any contract term that:
21 * * *
22 (5) Contains a clause requiring a dispute arising between the public
23 adjuster and the insured to be litigated in a venue other than the venue for the
24 physical location of the property adjusted."

25 AMENDMENT NO. 11

26 On page 2, line 29, change "the percentage" to "hourly"

27 AMENDMENT NO. 12

28 In Amendment No. 8 by the House Committee on Insurance (#4985), on page 1, line 32,
29 change "fee," to "fee or"

30 AMENDMENT NO. 13

31 In Amendment No. 8 by the House Committee on Insurance (#4985), on page 1, delete lines
32 33 and 34 in their entirety and insert in lieu thereof the following:

33 "hourly fee and the amount of the flat fee or the hourly fee to be charged.
34 * * *

35 AMENDMENT NO. 14

36 In Amendment No. 8 by the House Committee on Insurance (#4985), delete page 2 in its
37 entirety

CODING: Words in ~~struck through~~ type are deletions from existing law; words underscored are additions.

1 AMENDMENT NO. 15

- 2 On page 3, line 4, after "2023" and before the period "." insert "and shall only affect claims
3 with a date of loss on or after the effective date of this Act."