

HOUSE COMMITTEE AMENDMENTS

2021 Regular Session

Amendments proposed by House Committee on Insurance to Original House Bill No. 457
by Representative Firment

1 AMENDMENT NO. 1

2 On page 1, delete line 2 in its entirety and insert in lieu thereof the following

3 "To amend and reenact R.S. 22:1662(3), enact R.S. 22:1674.1, and repeal
4 R.S. 22:1674, relative to insurance claims"

5 AMENDMENT NO. 2

6 On page 1, line 3, delete "to define certain terms;"

7 AMENDMENT NO. 3

8 On page 1, at the end of line 6, delete "repeal the" and insert in lieu thereof "provide an"

9 AMENDMENT NO. 4

10 On page 1, between lines 8 and 9, insert the following:

11 "Section 1. R.S. 22:1662(3) is hereby amended and reenacted to read as follows:

12 §1662. General exemptions

13 This Part does not apply to:

14 * * *

15 (3)(a) A person employed only to furnish technical assistance to a licensed
16 adjuster, including but not limited to an investigator, an attorney, an engineer, an
17 estimator, a handwriting expert, a photographer, ~~and~~ or a private detective.

18 (b) Engineers, estimators, or building consultants engaged in the
19 investigation of a residential or commercial claim involving reported damage to a
20 covered structure caused by perils of hurricane, flood, windstorm, hail, or tornado.

21 * * *

22 AMENDMENT NO. 5

23 On page 1, line 9, change "Section 1." to "Section 2."

24 AMENDMENT NO. 6

25 On page 1, delete lines 11 through 14 in their entirety

26 AMENDMENT NO. 7

27 On page 1, at the beginning of line 15, change "B." to "A."

28 AMENDMENT NO. 8

29 On page 2, delete lines 1 through 5 in their entirety and insert in lieu thereof the following:

30 "(2) An adjuster shall not acquire any interest in salvage of property subject
31 to the contract with the insurer.

32 (3) An adjuster shall not solicit employment for, recommend, or otherwise
33 solicit engagement, directly or indirectly, for any attorney at law, contractor, or

1 subcontractor, in connection with any loss or damage for which the adjuster is
2 employed or concerned.

3 (4) An adjuster shall not solicit or accept any compensation, directly or
4 indirectly, from, by, or on behalf of any contractor or subcontractor engaged by or
5 on behalf of any insured by which such adjuster has been, is, or will be employed or
6 compensated, directly or indirectly."

7 AMENDMENT NO. 9

8 On page 2, at the beginning of line 6, change "(3)" to "(5)" and after "claimants" and before
9 the period ":" change "equally" to "fairly"

10 AMENDMENT NO. 10

11 On page 2, at the beginning of line 7, change "(4)" to "(6)"

12 AMENDMENT NO. 11

13 On page 2, at the beginning of line 8, change "(5)" to "(7)"

14 AMENDMENT NO. 12

15 On page 2, at the beginning of line 10, change "(6)" to "(8)"

16 AMENDMENT NO. 13

17 On page 2, at the beginning of line 12, change "(7)" to "(9)"

18 AMENDMENT NO. 14

19 On page 2, delete line 13 in its entirety and insert in lieu thereof "completing a thorough
20 investigation."

21 AMENDMENT NO. 15

22 On page 2, at the beginning of line 14, change "(8)" to "(10)"

23 AMENDMENT NO. 16

24 On page 2, line 15, after the comma "," and before "without" delete "and allow a fair
25 adjustment or settlement to all parties"

26 AMENDMENT NO. 17

27 On page 2, at the beginning of line 17, change "(9)" to "(11)"

28 AMENDMENT NO. 18

29 On page 2, at the beginning of line 19, change "(10)" to "(12)"

30 AMENDMENT NO. 19

31 On page 2, at the beginning of line 22, change "(11)" to "(13)"

32 AMENDMENT NO. 20

33 On page 2, delete lines 23 through 24 in their entirety and insert in lieu thereof "claimants."

1 AMENDMENT NO. 21

2 On page 2, at the beginning of line 25, change "(12)" to "(14)"

3 AMENDMENT NO. 22

4 On page 3, at the beginning of line 1, change "(13)" to "(15)"

5 AMENDMENT NO. 23

6 On page 3, at the beginning of line 7, change "(14)" to "(16)"

7 AMENDMENT NO. 24

8 On page 3, delete lines 9 through 18 and insert in lieu thereof the following:

9 "(17) An adjuster shall not knowingly make any oral or written
10 misrepresentation or statement in regards to applicable policy provisions, contract
11 conditions, or pertinent state laws."

12 AMENDMENT NO. 25

13 On page 3, at the beginning of line 19, change "(17)" to "(18)"

14 AMENDMENT NO. 26

15 On page 3, at the beginning of line 23, change "(18)" to "(19)"

16 AMENDMENT NO. 27

17 On page 3, line 24, after "required" and before "this" change "under" to "pursuant to the
18 provisions of"

19 AMENDMENT NO. 28

20 On page 3, at the beginning of line 25, change "(19)" to "(20)"

21 AMENDMENT NO. 29

22 On page 3, at the beginning of line 27, change "(20)" to "(21)"

23 AMENDMENT NO. 30

24 On page 4, at the beginning of line 3, change "C." to "B."

25 AMENDMENT NO. 31

26 On page 4, at the beginning of line 6, change "D." to "C." and after "Subsection" and before
27 "shall" change "B" to "A of this Section"

28 AMENDMENT NO. 32

29 On page 4, line 8, after "Subsection" and before "of" change "B" to "A"

30 AMENDMENT NO. 33

31 On page 4, line 9, after "have" and before "R.S." delete "violated the unfair claims settlement
32 practices law contained in" and insert in lieu thereof "committed an unfair trade practice
33 pursuant to"

1 AMENDMENT NO. 34

2 On page 4, delete line 12 in its entirety and insert in lieu thereof the following:

3 "Section 3. R.S. 22:1674 is hereby repealed in its entirety."