SENATE DOCKET, NO. 719 FILED ON: 1/17/2013

SENATE . . . . . No. 435

The Commonwealth of Massachusetts

PRESENTED BY:

Benjamin B. Downing

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the passage of the accompanying:

An Act relative to the licensure of insurance adjusters in the Commonwealth.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
Benjamin B. Downing	*Berkshire, Hampshire, Franklin and Hampden*

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SENATE . . . . . No. 435

By Mr. Downing, a petition (accompanied by bill, Senate, No. 435) of Benjamin B. Downing for legislation relative to the licensure of insurance adjusters in the Commonwealth. Financial Services.

The Commonwealth of Massachusetts

An Act relative to the licensure of insurance adjusters in the Commonwealth.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

SECTION 1: Chapter 175 of the General Laws, as appearing in the 2010 official edition is hereby amended in section 14 by inserting at the end thereof the following:-

For each license or renewal thereof to an insurance adjuster under section 172B;

SECTION 2: Said chapter 175 is hereby further amended by inserting, after section 172A the following section:-

Section 172B. The commissioner may, upon the payment of the fee prescribed by section 14 and after successful completion of a written examination, issue to any suitable person of 21 years of age or more a license to act as an insurance adjuster on behalf of an insurer licensed to do business in the commonwealth, if such person files with the commissioner a written application for such license executed on oath by the applicant, together with a certified copy of a criminal background check.

If the commissioner is satisfied that the applicant is trustworthy and competent, the commissioner shall issue the license which shall expire in 3 years from its date, unless sooner revoked or suspended as provided herein.

Upon the payment of the fee prescribed by section 14, the license may be renewed for any succeeding 3 year period without requiring an additional written examination, provided that the applicant shall be certified by the division of insurance as having completed before the renewal of said license a total of 15 hours of continuing education instruction as approved by the commissioner or by any other state or country which requires continuing education instruction as a condition for obtaining a license to act as an insurance adjuster for a licensed insurer.

The commissioner shall require that an applicant for a license to act as an insurance adjuster on behalf of a licensed insurer take a written exam prepared and administered by the commissioner or an independent testing service designated by the commissioner under the direction of the commissioner, who shall fix a passing grade which indicates the applicant's ability to perform in a satisfactory manner the duties of an insurance adjuster. The test shall examine an applicant's knowledge of building construction techniques and materials, as well as knowledge of relevant insurance principles and coverage. The commissioner shall determine or approve the charges to be paid by applicants for the services of any independent testing service designated by the commissioner. A written examination shall not be required in order to renew said license.