HOUSE BILL NO. 553
(As Sent to Governor)

AN ACT TO AMEND SECTION 83-17-401, MISSISSIPPI CODE OF 1972, TO EXCLUDE ANY PERSON WHO IS A MULTI-PERIL CROP INSURANCE ADJUSTER IN THE DEFINITION OF ADJUSTER; AND FOR RELATED PURPOSES.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

SECTION 1. Section 83-17-401, Mississippi Code of 1972, is amended as follows:

83-17-401. As used in this article, unless the context otherwise requires:

(a) "Adjuster" means any person who, as an independent contractor, or as an employee of an independent contractor, adjustment bureau, association, insurance company or corporation, managing general agent or self-insured, investigates or adjusts losses on behalf of either an insurer or a self-insured, or any person who supervises the handling of claims. "Adjuster" shall not include:

(i) An attorney at law who adjusts insurance losses from time to time and incidental to the practice of law, and who does not advertise or represent that he is an adjuster;

(ii) A salaried employee of an insurer who is regularly engaged in the adjustment, investigation or supervision of insurance claims;

(iii) Persons employed only for the purpose of furnishing technical assistance to a licensed adjuster, including, but not limited to, photographers, estimators, private detectives, engineers, handwriting experts and attorneys at law;

(iv) A licensed agent or general agent of an authorized insurer who processes undisputed or uncontested losses,
or both, for such insurer under policies issued by the licensed
agent or general agent;

(v) A person who performs clerical duties with no
negotiations with the parties on disputed or contested claims, or
both; * * *

(vi) Any person who handles claims arising under
life, accident and health insurance policies; or

(vii) Any person who is a multi-peril crop
insurance adjuster.

(b) "Insurer" means any insurance company or
self-insured.

(c) "Commissioner" means the Commissioner of Insurance.

SECTION 2. This act shall take effect and be in force from
and after July 1, 2011.