

By: Representatives Robinson, Gardner

To: Insurance

HOUSE BILL NO. 553
(As Sent to Governor)

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

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

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

7 83-17-401. As used in this article, unless the context
8 otherwise requires:

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

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

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

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

26 (iv) A licensed agent or general agent of an
27 authorized insurer who processes undisputed or uncontested losses,



28 or both, for such insurer under policies issued by the licensed
29 agent or general agent;

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

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

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

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

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

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

