

By: Representative Upshaw

To: Judiciary A

HOUSE BILL NO. 86

1 AN ACT TO PROHIBIT A PUBLIC ADJUSTER FROM TESTIFYING AS AN
2 EXPERT IN ANY JUDICIAL PROCEEDING IN WHICH THE PUBLIC ADJUSTER HAS
3 A PECUNIARY INTEREST IN THE OUTCOME; TO PROVIDE THAT THE COURT
4 SHALL AWARD REASONABLE COMPENSATION TO A PUBLIC ADJUSTER IN SUCH
5 SITUATIONS; AND FOR RELATED PURPOSES.

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

7 **SECTION 1.** (1) For the purposes of this section, "public
8 adjuster" means any person who contracts with an insured to
9 investigate, estimate and assess property and casualty losses on
10 behalf of a claimant, subject to the prohibitions provided in
11 Section 73-3-55.

12 (2) A public adjuster shall not testify in any judicial
13 proceeding as an expert witness if the public adjuster has a
14 pecuniary interest in the outcome of the proceeding because of any
15 services performed or provided by the public adjuster.

16 (3) The court shall award reasonable compensation for any
17 services performed or provided by a public adjuster in any matter
18 for which the public adjuster is prohibited from testifying as an
19 expert by this section.

20 **SECTION 2.** This act shall take effect and be in force from
21 and after its passage.

