

HOUSE No. 4307

The Commonwealth of Massachusetts

PRESENTED BY:

Daniel Cahill and Joan B. Lovely

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 adoption of the accompanying bill:

An Act relative to insurance claims.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Daniel Cahill</i>	<i>10th Essex</i>	<i>11/27/2023</i>
<i>Joan B. Lovely</i>	<i>Second Essex</i>	<i>11/27/2023</i>
<i>Mathew J. Muratore</i>	<i>1st Plymouth</i>	<i>1/8/2024</i>
<i>F. Jay Barrows</i>	<i>1st Bristol</i>	<i>2/12/2024</i>
<i>Kip A. Diggs</i>	<i>2nd Barnstable</i>	<i>2/12/2024</i>
<i>Jeffrey N. Roy</i>	<i>10th Norfolk</i>	<i>2/12/2024</i>
<i>Bradley H. Jones, Jr.</i>	<i>20th Middlesex</i>	<i>2/13/2024</i>
<i>Bruce E. Tarr</i>	<i>First Essex and Middlesex</i>	<i>3/1/2024</i>
<i>John F. Keenan</i>	<i>Norfolk and Plymouth</i>	<i>3/1/2024</i>
<i>Kathleen R. LaNatra</i>	<i>12th Plymouth</i>	<i>3/5/2024</i>
<i>Ryan M. Hamilton</i>	<i>15th Essex</i>	<i>3/5/2024</i>
<i>John J. Cronin</i>	<i>Worcester and Middlesex</i>	<i>3/5/2024</i>

HOUSE No. 4307

By Representative Cahill of Lynn and Senator Lovely, a joint petition (subject to Joint Rule 12) of Daniel Cahill and Joan B. Lovely for legislation to further regulate insurance claims. Financial Services.

The Commonwealth of Massachusetts

**In the One Hundred and Ninety-Third General Court
(2023-2024)**

An Act relative to insurance claims.

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

1 SECTION 1. Chapter 175 of General Laws is hereby amended after section 2B by
2 adding the following new section:-

3
4 “Section 2C. “It shall be unlawful and constitute a violation of chapter 93A for any
5 domestic, admitted foreign, surplus lines and captive insurer, reinsurer, third party administrator
6 or Company as defined in section 1 of chapter 175 to include in any policy of property and
7 casualty insurance any language, form or endorsement which prohibits any insured(s) from
8 hiring, retaining, engaging, utilizing, consulting or contracting with a public insurance adjuster,
9 as defined in section 162 of chapter 175, or a public insurance adjusting firm, as a condition to
10 recovery under such policy of insurance. Any such language, form or endorsement shall be
11 unenforceable and shall be excised from the policy of insurance with all remaining policy
12 language, forms and endorsements unaffected.”

13

14 SECTION 2. Subsection (9) of section 3 of chapter 176D of the General Laws is hereby
15 amended after subsection (n) by adding the following new subsection:-

16

17 “(o) A policy provision in any policy of property or casualty insurance that prohibits an
18 insured from hiring a public adjuster for services provided pursuant to the provisions of this
19 chapter.”