

# SENATE . . . . . No. 494

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## 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 adoption of the accompanying bill:

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

PETITION OF:

| NAME:                      | DISTRICT/ADDRESS:                                 |
|----------------------------|---|
| <i>Benjamin B. Downing</i> | <i>Berkshire, Hampshire, Franklin and Hampden</i> |
| <i>Marjorie C. Decker</i>  | <i>25th Middlesex</i>                             |

# SENATE . . . . . No. 494

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By Mr. Downing, a petition (accompanied by bill, Senate, No. 494) of Benjamin B. Downing and Marjorie C. Decker for legislation relative to the licensure of insurance adjusters in the Commonwealth. Financial Services.

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[SIMILAR MATTER FILED IN PREVIOUS SESSION  
SEE SENATE, NO. 435 OF 2013-2014.]

## The Commonwealth of Massachusetts

\_\_\_\_\_  
In the One Hundred and Eighty-Ninth General Court  
(2015-2016)  
\_\_\_\_\_

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:*

1           SECTION 1: Chapter 175 of the General Laws, as appearing in the 2014 official edition  
2           is hereby amended in section 14 by inserting at the end thereof the following:- For each license  
3           or renewal thereof to an insurance adjuster under section 172B;

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

6           Section 172B. The commissioner may, upon the payment of the fee prescribed by section  
7           14 and after successful completion of a written examination, issue to any suitable person of 21  
8           years of age or more a license to act as an insurance adjuster on behalf of an insurer licensed to  
9           do business in the commonwealth, if such person files with the commissioner a written

10 application for such license executed on oath by the applicant, together with a certified copy of a  
11 criminal background check.

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

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

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