

Amend CSHB 392 as follows:

- (1) On page 2, line 23, strike ", or aids in any manner,".
- (2) On page 3, lines 10 through 12, strike Subdivision (3)(B) and reletter the paragraphs accordingly.
- (3) On page 4, lines 5 and 6, strike "an active member of the State Bar of Texas" and substitute "licensed by the Supreme Court of Texas".
- (4) On page 6, line 25, strike "SECURITY" and substitute "FINANCIAL RESPONSIBILITY".
- (5) On page 8, line 21, strike "error".
- (6) On page 10, line 14, between "income" and the period, insert "only if the license holder's client is an insured under the insurance policy under which the claim being adjusted is filed".
- (7) On page 10, between lines 26 and 27, insert a new Subsection (b)(3)(A) to read as follows and reletter the paragraphs accordingly:
 - (A) statutory provisions related to the unauthorized practice of law, including Subchapter G, Chapter 81, Government Code;
- (8) On page 11, line 10, strike "shall" and insert "may".
- (9) On page 12, line 27, between "application" and the semicolon, insert "and license".
- (10) On page 21, line 27, between the period and "Each", insert "(a)".
- (11) On page 22, between lines 3 and 4, insert the following:
 - (b) The commissioner may waive continuing education requirements under this section for a nonresident license holder who also holds a valid license issued by another state that has continuing education requirements substantially equivalent to the continuing education requirements established under this section.
- (12) On page 22, line 4, strike "CONTINGENT FEES" and insert "COMMISSION".
- (13) On page 22, lines 6 and 7, strike "contingent fee for adjusting a claim under this article. A contingent fee" and substitute "commission for rendering services under this article. The commission may consist of an hourly fee, a flat fee, a".

percentage of the total amount paid by an insurer to resolve a claim, or another method of compensation. The total commission".

(14) On page 22, lines 9 and 10, strike "contingent fee on a claim for which an insurance company" and substitute "commission consisting of a percentage of the total amount paid by an insurance company on a claim for which the insurance company".

(15) On page 24, line 5, between "legal" and "advice", insert "services or perform acts that constitute the practice of law, including the giving of legal".

(16) On page 24, line 13, between "policy" and the period, insert "or act in any manner on any claim in which the license holder's client is not an insured under an insurance policy".

(17) On page 25, lines 3 and 4, strike "in order to obtain business".

(18) On page 25, line 5, between "pay" and "a fee" insert ", give, or allow to be paid or given, directly or indirectly,".

(19) On page 25, line 6, strike ", exceeding \$100,".

(20) On page 26, between lines 14 and 15, insert a new Subsection (b) to read as follows and reletter existing Subsection (b) as Subsection (c):

(b) Any payment received or accepted by a license holder from an insurance company must include the insured's name and must require the endorsement of the insured. A license holder may not accept any payment from an insurance company made solely in the name of the license holder or endorse any payment made solely to and on behalf of the insured.