

AN ACT

relating to the examination requirements for an insurance adjuster license.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Section 4101.056, Insurance Code, is amended to read as follows:

Sec. 4101.056. EXEMPTION FROM EXAMINATION REQUIREMENT.

(a) An applicant for a license under this chapter is not required to pass an examination under Section 4101.054 to receive the license if the applicant:

(1) had been principally engaged in the investigation, adjustment, or supervision of losses on August 27, 1973, and during the 90-day period preceding that date;

(2) is applying for a renewal license under this chapter;

(3) is licensed as an adjuster in another state with which a reciprocal agreement has been entered into by the commissioner; or

(4) has completed a course in adjusting losses as prescribed and approved by the commissioner and it is certified, by a form signed by a person described by Subsection (b)(2), to the commissioner on completion of the course that the applicant has:

(A) completed the course; and

(B) passed an examination, in a manner described

1 by Subsection (b)(2), testing the applicant's knowledge and
2 qualification, as prescribed by the commissioner.

3 (b) An applicant wishing to claim an exemption under
4 Subsection (a)(4) must:

5 (1) schedule the required examination; and
6 (2) take the required examination in a testing
7 environment that is controlled, supervised, and proctored by a
8 disinterested third party approved by the commissioner to
9 administer the examination ~~[is responsible for the scheduling and~~
10 ~~administration of the examination required under that subsection].~~

11 (c) In this section, "disinterested third party" means an
12 individual who:

13 (1) is not related to an applicant by consanguinity or
14 affinity as a first cousin or within the third degree by
15 consanguinity or affinity as described by Subchapter B, Chapter
16 573, Government Code; and

17 (2) is not an employee or a subordinate of the
18 applicant.

19 SECTION 2. The change in law made by this Act applies to a
20 license application submitted on or after the effective date of
21 this Act. A license application submitted before the effective
22 date of this Act is governed by the law applicable to the
23 application immediately before that date, and that law is continued
24 in effect for that purpose.

25 SECTION 3. This Act takes effect immediately if it receives
26 a vote of two-thirds of all the members elected to each house, as
27 provided by Section 39, Article III, Texas Constitution. If this

S.B. No. 569

1 Act does not receive the vote necessary for immediate effect, this
2 Act takes effect September 1, 2013.

President of the Senate

Speaker of the House

I hereby certify that S.B. No. 569 passed the Senate on
March 27, 2013, by the following vote: Yeas 30, Nays 0.

Secretary of the Senate

I hereby certify that S.B. No. 569 passed the House on
May 17, 2013, by the following vote: Yeas 131, Nays 3, two
present not voting.

Chief Clerk of the House

Approved:

Date

Governor