

By: Carona

S.B. No. 569

A BILL TO BE ENTITLED

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. Sections 4101.056(a) and (b), Insurance Code, are amended to read as follows:

(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 an affidavit signed and sworn to by a person described by Subsection (b)(2) before a notary public, 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;

6 (2) take the required examination in a testing center
7 environment that is controlled, supervised, and proctored by the
8 course provider or another disinterested third party approved by
9 the commissioner to administer the examination; and

10 (3) submit an affidavit described by Subsection (a)(4)
11 to the commissioner ~~[is responsible for the scheduling and~~
12 ~~administration of the examination required under that subsection].~~

13 SECTION 2. The change in law made by this Act applies to a
14 license application submitted on or after the effective date of
15 this Act. A license application submitted before the effective
16 date of this Act is governed by the law applicable to the
17 application immediately before that date, and that law is continued
18 in effect for that purpose.

19 SECTION 3. This Act takes effect immediately if it receives
20 a vote of two-thirds of all the members elected to each house, as
21 provided by Section 39, Article III, Texas Constitution. If this
22 Act does not receive the vote necessary for immediate effect, this
23 Act takes effect September 1, 2013.