

By: Hinojosa

S.B. No. 1060

A BILL TO BE ENTITLED

AN ACT

relating to the solicitation of employment for or a referral to an attorney made by a public adjuster.

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

SECTION 1. Subchapter D, Chapter 4102, Insurance Code, is amended by adding Section 4102.164 to read as follows:

Sec. 4102.164. SOLICITATION FOR OR REFERRAL TO ATTORNEY.

(a) A license holder may not directly or indirectly solicit employment for an attorney in connection with a claim for loss or damage that the license holder negotiates, investigates, or adjusts on behalf of an insured.

(b) A license holder, in exchange for referring a claim for loss or damage under an insurance policy covering real or personal property, or an insured or other person in connection with the claim, to an attorney, may not:

(1) receive a fee or other compensation from the attorney; or

(2) split a fee or other compensation with the attorney.

SECTION 2. This Act applies only to a solicitation or referral that occurs on or after September 1, 2015. A solicitation or referral that occurs before September 1, 2015, is governed by the law as it existed immediately before the effective date of this Act, and that law is continued in effect for that purpose.

1 SECTION 3. This Act takes effect September 1, 2015.