

1 Page 1-line 11 After "W.S." insert "26-1-102(a)(i), 26-9-202
2 by creating new paragraphs (xxv) through
3 (xxvii) and"; after "26-9-219(c)" delete "is"
4 and insert "are".
5

6 Page 1-after line 11 Insert:
7

8 **"26-1-102. Definitions.**
9

10 (a) As used in this act:

11
12 (i) "Adjuster" means any individual who, ~~for~~
13 ~~compensation as an independent contractor, or as the employee of~~
14 ~~an independent contractor, or as a salaried employee of an insurer,~~
15 ~~or for fee or commission, on behalf of the insurer investigates~~
16 ~~and negotiates settlement of claims arising under insurance~~
17 ~~contracts, except that~~ either investigates and negotiates
18 settlements relative to insurance claims or applies the factual
19 circumstances of an insurance claim to the insurance policy
20 provisions, or both, arising under property and casualty insurance
21 contracts. An attorney-at-law who is licensed to practice law in
22 this state, or a licensed agent or broker who adjusts or assists
23 in adjustment of losses arising under policies issued through that
24 broker or by the insurer represented by that agent, is not an
25 adjuster for the purposes of chapter 9 of this code;
26

27 **26-9-202. Definitions.**
28

29 (a) As used in this chapter:

30
31 (xxv) "Adjuster" means any individual who either
32 investigates and negotiates settlements relative to insurance
33 claims or applies the factual circumstances of an insurance claim
34 to the insurance policy provisions, or both, arising under property
35 and casualty insurance contracts. An attorney-at-law who is
36 licensed to practice law in this state or a licensed agent or
37 broker who adjusts or assists in adjustment of losses arising under
38 policies issued through that broker or by the insurer represented
39 by that agent, is not an adjuster for the purposes of this chapter.
40 An appraiser or umpire is not an adjuster for the purposes of this
41 chapter.
42

43 (xxvi) "Appraiser" means a person selected by the
44 insurer or the insured to place a value on or estimate the amount

1 of loss pursuant to an insurance claim. An appraiser does not
2 negotiate settlements relative to insurance claims or apply the
3 factual circumstances of an insurance claim to the insurance policy
4 provisions.

5
6 (xxvii) "Umpire" means a person selected by the
7 appraisers representing the insurer and the insured or, if the
8 appraisers cannot agree, by the court or hearing officer charged
9 with resolving issues that the appraisers are unable to agree upon
10 during the appraisal."

11
12 Page 2-line 17 Delete the House standing committee amendment
13 (HB0062H4301/A) to this line.

14
15 Page 2-line 19 Delete the House standing committee amendment
16 (HB0062H4301/A) to this line.

17
18 Page 2-after line 21 Delete the House standing committee
19 amendment (HB0062H4301/A) to this line.

20
21 Page 7-after line 10 Delete the House standing committee
22 amendment (HB0062H4301/A) to this line.

23 ZWONITZER