

Senate Engrossed

State of Arizona
Senate
Forty-fifth Legislature
Second Regular Session
2002

CHAPTER 55

SENATE BILL 1016

AN ACT

AMENDING SECTION 20-321, ARIZONA REVISED STATUTES; RELATING TO INSURANCE
ADJUSTERS.

(TEXT OF BILL BEGINS ON NEXT PAGE)



1 Be it enacted by the Legislature of the State of Arizona:
2 Section 1. Section 20-321, Arizona Revised Statutes, is amended to
3 read:
4 20-321. Definition of adjuster; exception
5 A. In this article, unless the context otherwise requires, "adjuster"
6 means any person who for compensation, ~~as an independent contractor, or as~~
7 ~~the employee of the independent contractor, or for fee or commission~~ EITHER:
8 1. ADJUSTS, investigates and OR negotiates settlement of claims
9 arising under insurance contracts, on behalf of either the insurer or the
10 insured.
11 2. HOLDS ONESELF OUT TO PERFORM A SERVICE LISTED IN PARAGRAPH 1 OF
12 THIS SUBSECTION.
13 B. FOR THE PURPOSES OF THIS ARTICLE, AN ADJUSTER DOES NOT INCLUDE:
14 1. A licensed attorney-at-law who is qualified to practice law in this
15 state. ,
16 2. A salaried employee of an insurer or of a managing general agent.
17 , or
18 3. A licensed insurance producer who adjusts or assists in adjustment
19 of losses arising under policies procured through the insurance producer is
20 ~~not an adjuster for the purposes of this article.~~
21 4. AN EMPLOYEE OF A POLITICAL SUBDIVISION WHO ADJUSTS OR ASSISTS IN
22 THE ADJUSTMENT OF LOSSES ARISING UNDER POLICIES COVERING THE POLITICAL
23 SUBDIVISION OR PERSONS INDEMNIFIED BY THE POLITICAL SUBDIVISION.
24 5. AN INDEPENDENT CONTRACTOR RETAINED BY A LICENSED ADJUSTER OR A
25 PERSON LISTED IN PARAGRAPHS 1 THROUGH 4 OF THIS SUBSECTION FOR THE SOLE
26 PURPOSE OF PROVIDING TECHNICAL ASSISTANCE IN CONNECTION WITH A CLAIM. AN
27 INDEPENDENT CONTRACTOR MAY INCLUDE PHOTOGRAPHERS, ESTIMATORS, ENGINEERS,
28 PRIVATE DETECTIVES OR HANDWRITING EXPERTS.
29 C. FOR THE PURPOSES OF SUBSECTION B, "SALARIED EMPLOYEE" MEANS AN
30 EMPLOYEE WHOSE COMPENSATION IS NOT CONTINGENT ON THE OUTCOME OF A CLAIM
31 DETERMINATION.

APPROVED BY THE GOVERNOR APRIL 21, 2002.

FILED IN THE OFFICE OF THE SECRETARY OF STATE APRIL 22, 2002.



Passed the House April 16, 2002,

by the following vote: 57 Ayes,

1 Nays, 2 Not Voting

Speaker of the House

Chief Clerk of the House

Passed the Senate February 6, 2002,

by the following vote: 27 Ayes,

0 Nays, 3 Not Voting

President of the Senate

Secretary of the Senate

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF GOVERNOR

This Bill was received by the Governor this

17 day of April, 2002,

at 11:14 o'clock A M.

Secretary to the Governor

Approved this 2/05 day of

April, 2002,

at 2:33 o'clock P M.

Governor of Arizona

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF SECRETARY OF STATE

This Bill was received by the Secretary of State

this 22 day of April, 2002

at 1:37 o'clock P M.

Secretary of State

S.B. 1016