



Sen. William R. Haine

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09800SB2922sam002

LRB098 17339 RPM 58346 a

1 AMENDMENT TO SENATE BILL 2922

2 AMENDMENT NO. _____. Amend Senate Bill 2922, AS AMENDED,
3 by replacing everything after the enacting clause with the
4 following:

5 "Section 5. The Illinois Insurance Code is amended by
6 changing Section 1570 as follows:

7 (215 ILCS 5/1570)

8 Sec. 1570. Public adjuster fees.

9 (a) A public adjuster shall not pay a commission, service
10 fee, or other valuable consideration to a person for
11 investigating or settling claims in this State if that person
12 is required to be licensed under this Article and is not so
13 licensed.

14 (b) A person shall not accept a commission, service fee, or
15 other valuable consideration for investigating or settling
16 claims in this State if that person is required to be licensed

1 under this Article and is not so licensed.

2 (c) A public adjuster may pay or assign commission, service
3 fees, or other valuable consideration to persons who do not
4 investigate or settle claims in this State, unless the payment
5 would violate State law.

6 (d) A public adjuster may not charge, agree to, or accept
7 any compensation, payment, commissions, fee, or other valuable
8 consideration in excess of 10% of the amount of the insurance
9 settlement claim paid by the insurer on any claim resulting
10 from a catastrophic event, unless approved in writing by the
11 Director. Application for exception to the 10% limit must be
12 made in writing. The request must contain specific reasons as
13 to why the consideration should be in excess of 10% and proof
14 that the policyholder would accept the consideration. The
15 Director must act on any request within 5 business days after
16 receipt of the request.

17 For the purpose of this subsection (d), "catastrophic
18 event" means an occurrence of widespread or severe damage or
19 loss of property producing an overwhelming demand on State and
20 local response resources and mechanisms and a severe long-term
21 effect on general economic activity, and that severely affects
22 State, local, and private sector capabilities to begin to
23 sustain response activities resulting from any catastrophic
24 cause, including, but not limited to, fire, including arson
25 (provided the fire was not caused by the willful action of an
26 owner or resident of the property), flood, earthquake, wind,

1 storm, explosion, or extended periods of severe inclement
2 weather as determined by declaration of a State of disaster by
3 the Governor. This declaration may be made on a
4 county-by-county basis and shall be in effect for 90 days, but
5 may be renewed for 30-day intervals thereafter.

6 (Source: P.A. 96-1332, eff. 1-1-11.)".