A bill to be entitled

An act relating to public adjuster contracts; amending s. 626.854, F.S.; authorizing certain persons to rescind a contract for public adjuster services; amending s. 626.8698, F.S.; clarifying the acts that may subject a public adjuster or public adjuster apprentice to discipline; amending s. 626.8796, F.S.; authorizing certain persons to rescind a contract for public adjuster services; providing an effective date.

Be It Enacted by the Legislature of the State of Florida:

Section 1. Subsection (7) of section 626.854, Florida Statutes, is amended to read:

626.854 "Public adjuster" defined; prohibitions.—The Legislature finds that it is necessary for the protection of the public to regulate public insurance adjusters and to prevent the unauthorized practice of law.

(7)(a) An insured or a claimant may cancel a public adjuster's contract to adjust a claim without penalty or obligation within 10 days after the date on which the contract is executed. If the contract was entered into based on events that are the subject of a declaration of a state of emergency by the Governor, an insured or a claimant may cancel the public adjuster's contract to adjust a claim without penalty or

CODING: Words ~~stricken~~ are deletions; words underlined are additions.

obligation within 30 days after the date of loss or 10 days after the date on which the contract is executed, whichever is longer. The public adjuster's contract must contain the following language in minimum 18-point bold type immediately before the space reserved in the contract for the signature of the insured or claimant:

"You, the insured, may cancel this contract for any reason without penalty or obligation to you within 10 days after the date of this contract. If this contract was entered into based on events that are the subject of a declaration of a state of emergency by the Governor, you may cancel this contract for any reason without penalty or obligation to you within 30 days after the date of loss or 10 days after the date on which the contract is executed, whichever is longer. You may also cancel the contract without penalty or obligation to you if I, as your public adjuster, fail to provide you and your insurer a copy of a written estimate within 60 days of the execution of the contract, unless the failure to provide the estimate within 60 days is caused by factors beyond my control, in accordance with s. 627.70131(5)(a)2., Florida Statutes. The 60-day cancellation period for failure to provide a written estimate shall cease on the date

I have provided you with the written estimate."

The notice of cancellation must ~~shall~~ be provided to ...(name of public adjuster)..., submitted in writing and sent by certified mail, return receipt requested, or other form of mailing that provides proof thereof, at the address specified in the contract.

(b) Notwithstanding any other provision of this chapter, an insured who is a vulnerable adult or who lacks capacity to consent, as those terms are defined in s. 415.102, or the legal representative of such insured persons, may rescind a contract for public adjuster services to adjust a claim at any time without penalty or further obligation.

Section 2. Section 626.8698, Florida Statutes, is amended to read:

626.8698 Disciplinary guidelines for public adjusters and public adjuster apprentices.—The department may deny, suspend, or revoke the license of a public adjuster or public adjuster apprentice, and administer a fine not to exceed $5,000 per act, for any of the following acts:

(1) Violating any provision of this chapter or a rule or order of the department.~~;~~

(2) Receiving payment or anything of value as a result of an unfair or deceptive practice.~~;~~

(3) Receiving or accepting any fee, kickback, or other

thing of value pursuant to any agreement or understanding, oral or otherwise; entering into a split-fee arrangement with another person who is not a public adjuster; or being otherwise paid or accepting payment for services that have not been performed.~~;~~

(4) Violating s. 316.066 or s. 817.234.~~;~~

(5) Soliciting or otherwise taking advantage of a person who is a vulnerable adult, as defined is s. 415.102, or who is emotional~~,~~ or otherwise upset as the result of a trauma, accident, or other similar occurrence.~~; or~~

(6) Violating any ethical rule of the department.

Section 3. Subsection (4) of section 626.8796, Florida Statutes, is amended to read:

626.8796 Public adjuster contracts; disclosure statement; fraud statement.—

(4)(a) The insured may rescind the contract for public adjuster services if the public adjuster has not submitted a written estimate to the insurer within 60 days after executing the contract, unless the failure to provide the written estimate within 60 days is caused by factors beyond the public adjuster's control.

(b) Notwithstanding any other provision of this chapter, an insured who is a vulnerable adult or who lacks capacity to consent, as those terms are defined in s. 415.102, or the legal representative of such insured persons, may rescind a contract for public adjuster services at any time without penalty or further obligation.

Section 4. This act shall take effect July 1, 2026.