

## **BILL ANALYSIS**

Senate Research Center  
83R22738 KKR-D

H.B. 1183  
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### **AUTHOR'S / SPONSOR'S STATEMENT OF INTENT**

A roofer acting as an insurance adjuster can easily have a conflict of interest and not act in the best interest of the consumer. Roofers working in the best interest of the homeowner can reduce the possibility that a roofing repair will have to be redone in the future.

H.B. 1183 makes clear that a roofing contractor cannot adjust or advertise to adjust claims for properties which the contractor is the contractor of record, regardless of whether the contractor is licensed as a public or private adjuster.

H.B. 1183 amends current law relating to prohibited conduct by insurance adjusters, public insurance adjusters, and roofing contractors.

### **RULEMAKING AUTHORITY**

Rulemaking authority is expressly granted to the commissioner of insurance in SECTION 1 (Section 4101.251, Insurance Code) and SECTION 2 (Section 4102.163, Insurance Code) of this bill.

### **SECTION BY SECTION ANALYSIS**

SECTION 1. Amends Chapter 4101, Insurance Code, by adding Subchapter F, as follows:

#### **SUBCHAPTER F. PROHIBITED CONDUCT**

Sec. 4101.251. **CERTAIN ROOFING-RELATED BUSINESS PROHIBITED.** (a) Prohibits an insurance adjuster licensed under Chapter 4101 (Insurance Adjusters) from adjusting a loss related to roofing damage on behalf of an insurer if the adjuster is a roofing contractor or otherwise provides roofing services or roofing products for compensation, or is a controlling person in a roofing-related business.

(b) Prohibits a roofing contractor from acting as an adjuster or advertising to adjust claims for any property for which the contractor is providing or may provide roofing services, regardless of whether the contractor holds a license under this chapter.

(c) Requires the commissioner of insurance (commissioner) to adopt rules necessary to implement and enforce this section.

SECTION 2. Amends Subchapter D, Chapter 4102, Insurance Code, by adding Section 4102.163, as follows:

Sec. 4102.163. **CERTAIN ROOFING-RELATED BUSINESS PROHIBITED.** (a) Prohibits a roofing contractor from acting as a public adjuster or advertising to adjust claims for any property for which the contractor is providing or may provide roofing services, regardless of whether the contractor holds a license under this chapter.

(b) Requires the commissioner to adopt rules necessary to implement and enforce this section.

SECTION 3. Effective date: September 1, 2013.