



Tony Evers, Governor of Wisconsin
Mark Afable, Commissioner of Insurance

Date: July 1, 2020

To: Insurers, Agents, and Interested Parties

From: Mark V. Afable, Commissioner of Insurance

Subject: Public Adjuster Law, Wisconsin Act 129

Wisconsin Act 129 becomes effective as of July 1, 2020. This Act creates a new chapter governing public adjusters in Wisconsin. First, the Act makes registration mandatory for non-resident public adjusters and optional for resident public adjusters. The Act also creates several provisions addressing consumer protection that applies to any individual engaging in public adjusting services regardless of registration status including contract and form filing requirements, requirements mandating disclosure of compensation, a bonding requirement, and reporting requirements for administrative and criminal actions. The full requirements under Act 129 can be found in [Chapter 629](#), Wisconsin Statutes.

The Act requires that all public adjusters doing business in Wisconsin file a copy of their public adjuster contract template with our office. Please see the [checklist](#) for filing guidance.

The Act also requires that OCI maintain a list of licensed public adjusters in Wisconsin. Because only non-resident public adjusters are required to obtain the license, Wisconsin resident public adjusters will not appear on the list unless they chose to apply for a license with OCI. If you are a resident public adjuster and would like your name to appear on this list, please follow the instructions below to obtain a license.

Both resident and non-resident public adjusters must comply with the bonding requirement.

Reporting Requirements

All public adjusters working in Wisconsin must report the following within 30 days per s. 629.12 Wis. Stat.:

- Any administrative action related to the business of insurance that is taken against the public adjuster by a governmental agency or regulatory body. The report shall be made no later than 30 days after the final disposition of the matter and shall include a copy of the order, consent to order, or similar document.
- Any criminal prosecution taken against the public adjuster in any jurisdiction. The report shall be made no later than 30 days after the date of the initial pretrial hearing and shall include a copy of the complaint, the order from the hearing, and any other information required by the commissioner.
- OCI recommends all adjusters to report any address changes, name changes, or any other changes that were initially submitted on the original license application to be reported within 30 days.

| | <u>Residents</u> | <u>Nonresidents</u> |
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| <u>License Required?</u> | <ul style="list-style-type: none"> • NO, but it is allowed | <ul style="list-style-type: none"> • YES |
| <u>Exam and Fee</u> | <ul style="list-style-type: none"> • Public Adjuster Exam • Exam Fee \$50 | <ul style="list-style-type: none"> • Must have taken exam in home state of residence • If no exam in home state of residence, comply with initial WI requirements and take WI exam • Exam Fee \$50 |
| <u>Initial Application Fee and Requirements</u> | <ul style="list-style-type: none"> • Apply via Nipr.com • Application Fee \$50 • Address of home office in Wisconsin, and a written statement attesting to your availability to the public through reasonable appointment or regular business hours • Original Bond | <ul style="list-style-type: none"> • Apply via Nipr.com • Application Fee \$50 • Address of home office in state of residence, and a written statement attesting to your availability to the public through reasonable appointment or regular business hours • Original Bond |
| <u>CE Requirements</u> | <ul style="list-style-type: none"> • Complete 15 credits of WI approved courses (12 general and 3 ethics) | <ul style="list-style-type: none"> • If home state CE is required and satisfied, no CE is required • If home state does not require CE, individual must complete WI required CE of 15 credits (12 general and 3 ethics) |
| <u>Renewal Fee</u> | <ul style="list-style-type: none"> • Submit renewal via Nipr.com • Renewal Fee \$50 | <ul style="list-style-type: none"> • Submit renewal via Nipr.com • Renewal Fee \$50 |
| <u>Bond Requirements</u> An OCI Bond Template has been created and can be used to satisfy the bond requirement. | <p>An original (signed and sealed) bond is required for both Residents and Nonresidents applying for a license in WI.</p> <p>Minimum bond requirements:</p> <ul style="list-style-type: none"> • Minimum amount of \$20,000; • Be in favor of this state and shall specifically authorize recovery by the commissioner on behalf of any person in this state who sustained damages as the results of erroneous acts, failure to act, conviction of fraud, or conviction of unfair practices in his or her capacity as a public adjuster; and • Not be terminated unless at least 30 days prior written notice is filed with the commissioner and given to the licensee. | |

Any questions concerning this bulletin may be directed to Rebecca L. Rebholz, Administrator of the Division of Market Regulation & Enforcement, at (608) 264-8111, or by email at rebecca.rebholz@wisconsin.gov.