

31A-26-310 Compensation of insurer's or insured's claims adjuster.

- (1)
- (a) Except as provided in Subsection (2), an insurer or an insured may not pay a person who is representing the insurer or insured in connection with an insurance claim adjustment on any basis that is dependent, in whole or in part, upon the amounts paid an insured or claimant under an insurance policy.
 - (b) Subsection (1)(a) includes payments to:
 - (i) an employee of:
 - (A) the insurer; or
 - (B) the insured;
 - (ii) an independent contractor; or
 - (iii) a public adjuster.
- (2) Subsection (1) does not prohibit a compensation arrangement:
- (a) based upon the overall profitability of the insurer;
 - (b) based upon the discovery or proof of fraudulent insurance claims; or
 - (c) conforming to an order or rule of the commissioner that addresses the compensation of persons engaged in insurance adjusting on behalf of:
 - (i) an insurer; or
 - (ii) an insured.

Amended by Chapter 252, 2003 General Session