Kentucky UPPA State Reference

Primary Statute Citation: KRS 304.9-020(20) (definition), 304.9-430(1) (license required), 304.9-4331 (public adjuster duties), 304.9-440 (license discipline), 304.99-010 and 304.99-020 (penalties); KRS 367.627 and 367.628 (contractors); KRS 532.020(4) and 431.060(3) (classification); 2026 Ky. Acts ch. 141 (H.B. 568), signed 4/13/26.

Penalty Severity: For unlicensed public adjusting, on conviction a fine of at least $100 or twice the gain from the violation, whichever is greater (KRS 304.99-010), a "violation" rather than a misdemeanor or felony (KRS 532.020(4); 431.060(3)); a civil penalty of up to $2,000 per violation may also apply to an adjuster (KRS 304.99-020(1)(c)). Licensed public/apprentice adjusters face licensing sanctions and fines up to $5,000 per act (KRS 304.9-440(2)); special 2026 restrictions also apply.

Statutory Reading (Summary): No person may act as or hold himself, herself or itself out to be a public adjuster in Kentucky unless licensed by the Department of Insurance (KRS 304.9-430(1)(a)). The Insurance Code has no penalty specific to unlicensed public adjusting; violations are punishable on conviction under the general penalty provision (KRS 304.99-010), and where the commissioner has the power to revoke or suspend a license, the commissioner may also impose a civil penalty of up to $2,000 per violation in the case of an adjuster (KRS 304.99-020(1)(c)). Contractors are expressly barred from representing or negotiating for insureds on insurance claims "as a public adjuster or otherwise" (KRS 367.628(1)(a)1.).

2026 Amendments

Under 2026 Ky. Acts ch. 141 (H.B. 568), signed 4/13/26, for two years beginning April 13, 2026, applications for public adjuster licenses will not be accepted or approved and the department will not issue them (KRS 304.9-430(1)(b)); holders of temporary or apprentice adjuster licenses in effect on that date may still apply and be issued a public adjuster license ((1)(c)), and public adjuster licenses in effect on that date may be renewed and continue in force ((1)(d)). For two years beginning July 15, 2026, a public adjuster may not negotiate with an insurer on behalf of an insured in the adjustment or settlement of a claim (KRS 304.9-4331(7)). The codifier notes that the 2026 amendments to KRS 304.9-4331 apply to contracts entered into on or after July 15, 2026.

On October 28, 2026, the Jefferson Circuit Court granted the Attorney General's motion to dismiss a constitutional challenge to 2026 Ky. Acts ch. 141 (H.B. 568) and dismissed the plaintiffs' amended complaint for declaratory and injunctive relief with prejudice, designating the order final and appealable (Carroll v. Coleman, No. 26-CI-003349, pp. 7-8; signed court order; copy hosted by Merlin Law Group, not official court website). The order grants no injunction against the challenged provisions. Appellate status has not been confirmed from a court source as of November 5, 2026.

Exact Penalty Language and Guidance

KRS 304.9-430(1)(a)

> *"(1)(a) Except as provided in this section and KRS 304.52-060, no person shall in this state act as or hold himself, herself, or itself out to be an independent, staff, or public adjuster unless then licensed by the department as an independent, staff, or public adjuster."*

KRS 304.99-010

> *"In addition to or in lieu of the specific penalties provided for by this code, any person who violates any provision of this code or who knowingly violates any proper order of the commissioner shall, upon conviction by a court of competent jurisdiction, be fined not less than one hundred dollars ($100) or twice the amount of the gain from the commission of the violation, whichever is greater, be subject to revocation of certificate of authority or license, or both."*

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KRS 304.99-020(1)(c)

"(1) For any violation of this code where the commissioner has the power to revoke or suspend a license or certificate of authority, the commissioner may in lieu thereof or in addition to such revocation or suspension impose a civil penalty against the violator of not more than the following:

. . .

(c) In the case of an adjuster, administrator, life settlement broker, life settlement provider, or consultant, two thousand dollars ($2,000) per violation."

KRS 304.9-440(2)(a)

"(2) (a) For any public adjuster or apprentice adjuster supervised by a public adjuster under KRS 304.9-432, the commissioner shall deny, suspend, or revoke the adjuster's or apprentice adjuster's license or impose a fine not to exceed five thousand dollars ($5,000) per act, or both, for any of the following causes:"

Penalty Structure: General insurance enforcement; no UPPA-specific penalty. KRS 304.9-440(2) requires the commissioner to deny, suspend or revoke the license, or impose a fine up to $5,000 per act, or both, for the listed public/apprentice adjuster violations. This is a licensing provision for licensees and applicants, not a blanket criminal classification; unlicensed activity is reached by the general penalty provisions (KRS 304.99-010 and 304.99-020).

Contractor Specific Enforcement

Explicit. KRS 367.628(1)(a)1. bars a contractor, or a person representing a contractor, from representing or negotiating, or advertising to do so, "as a public adjuster or otherwise" on behalf of an insured on an insurance claim in connection with goods or services relating to real estate; contract provisions that violate the bar are unenforceable (367.628(1)(b)). Contractors may still provide estimates and confer with an insurer's representative about damage after the insured has submitted a claim (367.628(1)(c)). The Attorney General enforces the prohibition; the Attorney General or an injured person may sue for an injunction, twice the actual economic damages and attorney's fees, and the Attorney General may also recover a civil penalty of $5,000 per violation (KRS 367.627).

Separately, KRS 304.9-4331(6) prohibits a public adjuster from participating in the repair or restoration of property that is the subject of a claim the adjuster adjusts, having a financial interest in or affiliation with a salvage, repair or other business that obtains business in connection with the claim, or using a contractor to solicit or obtain contract signatures. Subsection (7) bars negotiation with an insurer for two years beginning July 15, 2026.

KRS 367.628(1)(a)–(b)

"(1)(a) Except as provided in paragraph (c) of this subsection, a contractor, or person representing a contractor, shall not:

1. Represent, negotiate, or advertise to represent or negotiate, as a public adjuster or otherwise, on behalf of any insured on any insurance claim in connection with the provision of goods or services relating to real estate; or

2. Represent or market the contractor or person, any employee or agent of the contractor or person, or any business of the contractor or person as:

a. A claims specialist or expert;

b. An insurance specialist or expert; or

c. Having any affiliation with an insurer or an insurer's agent.

(b) Any provision of a contract between a contractor, or a person representing a contractor, and an insured in violation of paragraph (a)1. of this subsection shall not be enforceable."

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KRS 367.627(1), (3)(c)2.

"(1) The Attorney General shall enforce KRS 367.620 to 367.628.

. . .

2. In addition to the remedies and penalties provided under subparagraph 1. of this paragraph, the Attorney General may recover a civil penalty of five thousand dollars ($5,000) per violation."

Definition of a Public Adjuster

KRS 304.9-020(20), as amended effective April 13, 2026, defines a public adjuster as a person who, for compensation paid by or on behalf of an insured, renders advice or assistance to the insured in a first-party claim under a policy covering real or personal property, or who advertises, solicits business or holds itself out as such an adjuster; attorneys and persons furnishing only facts or technical assistance to a licensed public adjuster are excluded. The amended definition operates together with the 2026 restrictions above.

KRS 304.9-020(20)

"(20) "Public adjuster":

(a) Means any person who:

1. For compensation or reward paid by or on behalf of an insured, renders advice or assistance to the insured in a first-party claim for loss or damages under any policy, certificate, or contract of insurance covering real or personal property; or

2. Advertises, solicits business, or holds itself out to the public as an adjuster described in subparagraph 1. of this paragraph; and

(b) Does not include:

1. An attorney licensed to practice law in Kentucky, when acting in his or her professional capacity as an attorney; or

2. A person employed only for the purpose of obtaining facts surrounding a loss or furnishing technical assistance to a licensed public adjuster, including photographers, estimators, private investigators, engineers, and handwriting experts;"

Matrix Verification

The matrix predates material 2026 legislation (2026 Ky. Acts ch. 141 (H.B. 568), signed 4/13/26). On October 28, 2026, the Jefferson Circuit Court granted the Attorney General's motion to dismiss a constitutional challenge to that Act and dismissed the plaintiffs' amended complaint for declaratory and injunctive relief with prejudice, designating the order final and appealable (Carroll v. Coleman, No. 26-CI-003349, pp. 7-8; signed court order; copy hosted by Merlin Law Group, not official court website). The order grants no injunction against the challenged provisions. Appellate status has not been confirmed from a court source as of November 5, 2026.

Reviewed November 6, 2026. Statutory excerpts are selected passages; summaries do not replace the full law or its exceptions. This page is for general educational purposes and is not legal advice.

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