



Texas Department of Insurance

Primary Statute Citation: Tex. Ins. Code ch. 4102

Penalty Severity: Felony/Misdemeanor

Statutory Reading (Summary): Unauthorized public adjusting prohibited; criminal penalties

Exact Penalty Language (verbatim excerpt):

a) A person commits an offense if the person violates this chapter. An offense under this subsection is a Class B Misdemeanor.

b) If conduct that constitutes an offense under Subsection A also constitutes an offense under any other law, the person committing the offense may be prosecuted under this section or other law.

c) In addition to the criminal penalties imposed under Subsection A, a person in violation of this chapter is subject to the sanctions provided by Sections 541.108-541.110, as if the person had violated an order under those sections.

Penalty Structure: UPPA-specific criminal penalty

Contractor-Specific Enforcement: Explicit

Definition of a Public Adjuster:

Texas Insurance Code §4102.001(3) defines a public insurance adjuster as:

(A) a person who, for direct, indirect, or any other compensation:

1. acts on behalf of an insured in negotiating for or effecting the settlement of a claim or claims for loss or damage under any policy of insurance covering real or personal property; or
2. on behalf of any other public insurance adjuster, investigates, settles, or adjusts or advises or assists an insured with a claim or claims for loss or damage under any policy of insurance covering real or personal property; or

(B) a person who advertises, solicits business, or holds himself or herself out to the public as an adjuster of claims for loss or damage under any policy of insurance covering real or personal property.

TDI Website: <https://www.tdi.texas.gov/>