

304.9-4332 Requirements for funds received or held by public adjuster.

- (1) All funds received or held by a public adjuster on behalf of an insured toward the settlement of a claim shall be:
 - (a) Handled in a fiduciary capacity; and
 - (b) Deposited into one (1) or more separate noninterest-bearing fiduciary trust accounts in a financial institution licensed to do business in this state no later than the close of the second business day from the receipt of the funds.
- (2) The funds referenced in subsection (1) of this section shall:
 - (a) Be held separately from any personal or nonbusiness funds;
 - (b) Not be commingled or combined with other funds;
 - (c) Be reasonably ascertainable from the books of accounts and records of the public adjuster; and
 - (d) Be disbursed within thirty (30) calendar days of any invoice received by the public adjuster upon approval of the insured or the claimant that the work has been satisfactorily completed.
- (3) For any funds deposited into an account under subsection (1) of this section, a public adjuster shall:
 - (a) Maintain an accurate record and itemization of the funds in accordance with KRS 304.9-435; and
 - (b) Provide the insured with a receipt of deposit within three (3) business days after the date the funds were deposited.

Effective: July 15, 2026

History: Amended 2026 Ky. Acts ch. 141, sec. 6, effective July 15, 2026. -- Created 2023 Ky. Acts ch. 11, sec. 4, effective June 29, 2023.

Legislative Research Commission Note (7/15/2026). 2026 Ky. Acts ch. 141, sec. 14, provides that the amendments to this statute in that Act apply to contracts entered into on or after July 15, 2026.