

1           AN ACT relating to trade practices.

2    *Be it enacted by the General Assembly of the Commonwealth of Kentucky:*

3           ➔ SECTION 1. A NEW SECTION OF KRS CHAPTER 365 IS CREATED TO

4    READ AS FOLLOWS:

5    (1) As used in this section:

6           (a) "Prohibited advertisement" means any written or electronic communication  
7           by a contractor that encourages, instructs, or induces a residential property  
8           owner to contact any insurance company personnel for the purpose of  
9           making an insurance claim for roof damage. This includes but is not limited  
10           to a door hanger, business card, magnet, flyer, pamphlet, and email; and  
11           (b) "Solicit" means to contact a residential property owner in person or  
12           through electronic means, including but not limited to email or telephone.

13    (2) A person shall not:

14           (a) Solicit a residential property owner by means of a prohibited advertisement;  
15           (b) Offer a residential property owner a rebate, gift card, cash, coupon, waiver  
16           of any insurance deductible, or any other thing of value in exchange for:  
17           1. Allowing the person or his or her agent to conduct an inspection of the  
18           residential property owner's roof; or  
19           2. Making an insurance claim for damage to the residential property  
20           owner's roof in a way that purports to interpret an insurance policy;  
21           (c) Offer, deliver, receive, or accept any compensation, inducement, or reward  
22           for the referral of any work to a business or person that performs repair  
23           work services on residential property for which insurance proceeds are  
24           payable; or  
25           (d) Provide an insured with an agreement authorizing roof repairs without  
26           providing a good-faith estimate of the itemized and detailed cost of services  
27           and materials for repairs undertaken pursuant to a property insurance

1           *claim. If the actual cost of repairs differs from the initial estimate as a result*  
2           *of an insurance claim adjustment, it shall not be a violation of this section.*