



Scot Kibbe

Vice President, State Government Relations

11407 Jim Thorpe Lane

Austin, Texas 78748

January 22, 2026

The Honorable William Sutton
Chair, House Committee on Insurance
300 W. 10th, Room 218-N
Topeka, KS 66612

RE: SUPPORT OF HB 2461 – WRITTEN TESTIMONY ONLY

Dear Chair Sutton and members of the Committee,

Representing nearly 67% of the U.S. property casualty insurance market, the American Property Casualty Insurance Association (APCIA) promotes and protects the viability of private competition for the benefit of consumers and insurers. In Kansas, APCIA's members write more than 70% of all property and casualty policies. We respectfully submit the following comments in **SUPPORT** of **HB 2461**

APCIA believes the Kansas Legislature intentionally limited the licensing of public adjusters to commercial insurance lines. This is evident in its departure from the NAIC Public Adjuster Licensing Model Act (2005). The Legislature twice inserted the phrase "covered by and limited to commercial lines insurance contracts," despite the availability of broader NAIC language.

In 2013, lawmakers also rejected an attempt to expand the definition of public adjuster to include personal lines. We believe this restraint was prudent. Expanding public adjuster authority into personal lines would require additional regulatory oversight, increasing administrative burdens and costs for the Department of Insurance without a clear public benefit.

(continued)

Page Two

APCIA HB 2461 Testimony

We are not aware of any consumer demand for such an expansion. There has been no rise in residential complaints that would justify statutory changes. As a result, altering the current law would merely add another unnecessary layer of regulation.

The private market already incentivizes insurers and their adjusters to be responsive to policyholders, and the Department has historically served as an effective advocate for consumers. Experience in other states demonstrates that contractors sometime partner with public adjusters to inflate claims and encourage litigation. This behavior slows the claims process, drives up costs, and ultimately increases premiums for policyholders.

Public adjuster involvement can also result in duplicative or conflicting estimates—particularly when contractors are involved—further complicating the process. Their fee structures, typically 5 to 15 percent of the claim payment (sometimes higher), create strong incentives to maximize settlements, which again contributes to upward pressure on premiums.

For these reasons, we respectfully ask for your support of HB 2461.

Please contact me directly at 512-461-1964 or via e-mail at scot.kibbe@apcia.org or APCIA's local counsels Larrie Ann Brown at (785) 640-2747 via e-mail at larrieannbrown@gmail.com and Brad Smoot at 785-224-1200 or via e-mail at bradsmoot@smootlawoffice.com with any questions.

Sincerely,

Scot Kibbe

Scot Kibbe
Vice President, State Government Relations