

HB0431/583391/1

BY: Economic Matters Committee

AMENDMENTS TO HOUSE BILL 431
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 12, after “needs;” insert “providing for the confidentiality of certain documents and information under certain provisions of law; providing that certain information and documents are not subject to discovery or admissible in certain actions;”; and in line 26, after “statement;” insert “requiring certain persons to file an annual enterprise risk report that includes certain information; authorizing the sharing of certain information in an enterprise risk report under certain circumstances;”.

On page 2, in line 20, strike “a”; in the same line, strike “penalty” and substitute “violations subject to certain penalties”; and in line 31, after “Section” insert “2-209(g)(1).”.

AMENDMENT NO. 2

On page 3, before line 1, insert:

“2-209.

(g) (1) This subsection applies only to a document, material, or information other than an adopted examination report that:

(i) is in the control or possession of the Commissioner; and

(ii) is obtained or generated during an analysis or examination conducted under § 2-205 or § 2-206 of this subtitle, TITLE 7 OF THIS ARTICLE, or § 23-103, § 15-10B-19, or § 15-10B-20 of this article.”.

(Over)

On page 7, in line 19, strike “and”; and in line 21, after “person” insert “; AND”

(4) ARE NOT SUBJECT TO DISCOVERY OR ADMISSIBLE IN EVIDENCE IN ANY CIVIL ACTION”.

On page 19, after line 5, insert:

“(4) THE COMMISSIONER MAY SHARE THE ENTERPRISE RISK REPORT FILED UNDER PARAGRAPH (1) OF THIS SUBSECTION WITH AN INSURANCE REGULATORY AGENCY IN A STATE THAT HAS LAWS OR REGULATIONS THAT THE COMMISSIONER DETERMINES ARE SUBSTANTIALLY SIMILAR TO § 2-209(G) AND (H) OF THIS ARTICLE, ONLY IF THE AGENCY AGREES IN WRITING TO MAINTAIN THE CONFIDENTIALITY AND PRIVILEGED STATUS OF THE REPORT.”.

AMENDMENT NO. 3

On page 3, in line 10, strike “NATIONAL OR”.

On page 5, in line 10, strike “INTO” and substitute “TO OR BELOW”.

On page 10, in line 1, strike “THIS” and substitute “UNLESS THE COMMISSIONER DETERMINES OTHERWISE, THIS”; and in the same line, strike “MAY” and substitute “DOES”.

On page 18, in line 27, strike “THE” and substitute “BEGINNING IN 2015, THE”; in line 29, strike “MAY” and substitute “JULY”; and in the same line, after “1” insert “OF EACH YEAR”.

On page 21, strike beginning with the comma in line 6 down through the comma in line 8; and in line 9, strike “OR § 7-603(H)”.

On page 23, in line 17, strike “AT LEAST 30 DAYS’ ADVANCE”; in line 18, strike “OF ITS INTENTION TO TERMINATE” and substitute “WITHIN 30 DAYS AFTER THE TERMINATION OF”; in line 26, strike “MODIFY,”; in the same line, strike “TERMINATE” and substitute “MODIFY”; in line 32, after “loan,” insert “OR”; and in line 33, strike “or investment,”.

On page 25, in line 7, after “(8)” insert “NOTWITHSTANDING ITEM (7) OF THIS SUBSECTION,”.

On page 28, in line 8, strike the second “OF”.

On page 29, in line 12, strike the first “OF”.

On page 30, in lines 4 and 8, in each instance, after “THIS” insert “TITLE OR ANY REGULATION ADOPTED OR ORDER ISSUED UNDER THIS”.