

SB0079/937077/1

BY: Finance Committee

AMENDMENTS TO SENATE BILL 79
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike “Senator Middleton” and substitute “Senators Middleton, Astle, Brinkley, Feldman, Glassman, Kelley, Kittleman, Klausmeier, Mathias, Pugh, and Ramirez”; in line 10, after “insurance” insert “in a certain manner”; in line 17, after “employees” insert “or authorized representatives”; in line 21, after “employees” insert “or authorized representatives”; in lines 22 and 23, strike “qualified in certain manners” and substitute “a certain producer or expert”; and strike beginning with “notwithstanding” in line 24 down through “manner” in line 26 and substitute “; prohibiting a travel retailer from compensating certain travel retailer employees or authorized representatives for certain activities in a certain manner; providing for the construction of certain provisions of this Act”.

On page 2, in line 1, after “insurance;” insert “requiring the Commissioner to collect certain information, make certain determinations, and report certain findings and recommendations to certain committees of the General Assembly on or before a certain date;”.

AMENDMENT NO. 2

On page 2, after line 12, insert:

“(B) “AUTHORIZED REPRESENTATIVE” MEANS AN INDEPENDENT CONTRACTOR OF A TRAVEL RETAILER.”;

and in lines 13, 16, 20, and 24, strike “(b)”, “(c)”, “(d)”, and “(e)”, respectively, and substitute “**(C)**”, “**(D)**”, “**(E)**”, and “**(F)**”, respectively.

(Over)

On page 3, in lines 11, 14, 22, and 24, strike “(f)”, “(g)”, “(h)”, and “(I)”, respectively, and substitute “(G)”, “(H)”, “(I)”, and “(J)”, respectively; and in line 25, strike “LIMITED LINES”.

On page 4, in lines 1, 10, 22, and 30, strike “(J)”, “(K)”, “(L)”, and “(M)”, respectively, and substitute “(K)”, “(L)”, “(M)”, and “(N)”, respectively; in line 1, strike “(1)”; in line 2, after “TO” insert “:

(1);

in line 3, after “PRICE” insert “;

(2) PROCESS APPLICATIONS; AND

(3) COLLECT PREMIUMS”;

and strike in their entirety lines 4 through 9, inclusive.

On page 5, in lines 3, 17, 19, and 21, strike “(N)”, “(O)”, “(P)”, and “(Q)”, respectively, and substitute “(O)”, “(P)”, “(Q)”, and “(R)”, respectively; and in line 11, after “TRAVEL” insert “, IF ISSUED AS INCIDENTAL TO THE COVERAGE PROVIDED BY ITEM (I), (II), OR (III) OF THIS PARAGRAPH”.

AMENDMENT NO. 3

On page 6, in line 9, after “PROVIDE” insert “IN WRITING”; in line 23, strike “AND”; and in line 25, after “PRODUCER” insert “; AND

6. CONTACT INFORMATION FOR FILING A COMPLAINT WITH THE COMMISSIONER”.

On page 7, in line 29, strike “MAY” and substitute “SHALL”.

AMENDMENT NO. 4

On page 7, in line 27, after “EMPLOYEE” insert “OR AUTHORIZED REPRESENTATIVE”.

On page 8, in line 19, after “EMPLOYEE” insert “OR AUTHORIZED REPRESENTATIVE”.

AMENDMENT NO. 5

On pages 8 and 9, strike in their entirety the lines beginning with line 28 on page 8 through line 7 on page 9, inclusive, and substitute:

“(4) (I) A TRAVEL RETAILER WHOSE INSURANCE RELATED ACTIVITIES, AND THOSE OF ITS EMPLOYEES OR AUTHORIZED REPRESENTATIVES, ARE LIMITED TO OFFERING AND DISSEMINATING TRAVEL INSURANCE ON BEHALF OF AND UNDER THE DIRECTION OF A LIMITED LINES TRAVEL INSURANCE PRODUCER UNDER THIS SECTION MAY RECEIVE COMPENSATION WHEN LISTED ON A REGISTER MAINTAINED BY THE LIMITED LINES TRAVEL INSURANCE PRODUCER IN ACCORDANCE WITH PARAGRAPH (1)(III) OF THIS SUBSECTION.

“(II) A TRAVEL RETAILER MAY NOT COMPENSATE AN EMPLOYEE OR AUTHORIZED REPRESENTATIVE FOR INSURANCE RELATED ACTIVITIES IN A MANNER THAT IS BASED PRIMARILY ON THE NUMBER OF CUSTOMERS WHO PURCHASE TRAVEL INSURANCE COVERAGE.

“(III) THIS SECTION MAY NOT BE CONSTRUED TO PROHIBIT PAYMENT OF COMPENSATION TO A TRAVEL RETAILER OR ITS EMPLOYEES OR AUTHORIZED REPRESENTATIVES FOR ACTIVITIES UNDER THE LIMITED LINES

TRAVEL INSURANCE PRODUCER'S LICENSE THAT ARE INCIDENTAL TO THE TRAVEL RETAILER'S OR ITS EMPLOYEE'S OR AUTHORIZED REPRESENTATIVE'S OVERALL COMPENSATION."

AMENDMENT NO. 6

On page 9, after line 27, insert:

"SECTION 2. AND BE IT FURTHER ENACTED, That the Maryland Insurance Commissioner shall:

(1) keep track of complaints from consumers regarding the offering and dissemination of travel insurance by travel retailers and employees and authorized representatives of travel retailers, including:

(i) the number of complaints;

(ii) a summary of the allegations contained in the complaints;

and

(iii) the disposition of the complaints;

(2) based on the complaints under paragraph (1) of this section and any other information the Commissioner determines necessary, determine whether and how travel retailers and employees and authorized representatives of travel retailers should be compensated for offering and disseminating travel insurance; and

(3) on or before January 1, 2017, report the Commissioner's findings and recommendations, in accordance with § 2-1246 of the State Government Article, to the Senate Finance Committee and the House Economic Matters Committee."

and in line 28, strike "2." and substitute "3."