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§3–321.

(a) (1) On placing surplus lines coverage, a surplus lines broker promptly shall deliver to the insured:

(i) the policy issued by the insurer; or

(ii) if the policy is not available, a binder or cover note that shows:

1. the subject, coverage, conditions, and term of the insurance; and

2. the name and address of the insurer.

(2) If a direct risk is assumed by more than one insurer, the policy, binder, or cover note shall state:

(i) the name and address of each insurer; and

(ii) the proportion of the direct risk assumed by each insurer.

(b) Unless a copy of each binder or cover note has been filed with and approved by the Commissioner, the surplus lines broker, as soon as reasonably possible, shall get the policy from the insurer and deliver it to the insured to replace the binder or cover note previously delivered.

(c) A surplus lines broker promptly shall deliver to the insured an appropriate substitute for or endorsement of the original binder or cover note that accurately shows the current status of the coverage and the responsible insurer if, after issuance and delivery of the original binder or cover note, there is a change in:

(1) the identity of the insurer;

(2) the proportion of the direct risk assumed by an insurer; or

(3) any other material aspect of the insurance coverage.

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