

SB0839/987772/1

BY: Finance Committee

AMENDMENTS TO SENATE BILL 839
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike “Senator Feldman” and substitute “Senators Feldman, Middleton, Astle, Benson, Hershey, Jennings, Kelley, Klausmeier, Mathias, and Reilly”; in line 3, after “confidentiality” insert “, under certain circumstances,”; strike beginning with “authorizing” in line 5 down through “public” in line 7 and substitute “providing that certain information is not subject to subpoena”; in line 7, after “Commissioner” insert “, if the Commissioner makes a certain determination,”; in line 8, after “determination” insert “and to make certain material open to public inspection”; in the same line, after “time” insert “, with a certain exception”; and in line 14, after “information;” insert “providing for the construction of certain provisions of this Act;”.

AMENDMENT NO. 2

On page 3, in line 5, after “**2.**” insert “**SUBJECT TO SUBPARAGRAPH (II) OF THIS PARAGRAPH AND**”; in line 7, after “SUBPOENA” insert “**SERVED ON THE COMMISSIONER OR ANY RECIPIENT OF PROPRIETARY RATE-RELATED INFORMATION UNDER SUBPARAGRAPH (III) OF THIS PARAGRAPH**”; in line 8, after “(II)” insert “**1.**”; in the same line, strike “**IF**” and substitute “**EXCEPT AS PROVIDED IN SUBSUBPARAGRAPH 2 OF THIS SUBPARAGRAPH, IF**”; in line 12, after “SHALL” insert “**:**”

A.”;

strike beginning with “AT” in line 13 down through “PUBLIC” in line 14 and substitute “**;** **AND**”

(Over)

B. MAKE THE MATERIAL OPEN TO PUBLIC INSPECTION 10 BUSINESS DAYS AFTER THE DATE THE COMMISSIONER GIVES NOTICE OF THE DETERMINATION TO THE INSURER.

2. THE COMMISSIONER MAY NOT DISCLOSE THE MATERIAL IF:

A. THE INSURER HAS NOT PUT THE RATE FILING INTO EFFECT; AND

B. WITHIN THE TIME PERIOD DESCRIBED IN SUBSUBPARAGRAPH 1B OF THIS SUBPARAGRAPH, THE INSURER WITHDRAWS THE RATE FILING AND NOTIFIES THE COMMISSIONER THAT THE RATE FILING IS WITHDRAWN”;

and in line 32, after “AUTHORITY” insert “, INCLUDING THE UNITED STATES DEPARTMENT OF JUSTICE AND THE MARYLAND ATTORNEY GENERAL, IF ACTING IN A LAW ENFORCEMENT CAPACITY”.

On page 4, after line 13, insert:

“(4) THIS SUBSECTION MAY NOT BE CONSTRUED TO:

(I) AUTHORIZE AN INSURER TO DESIGNATE THE RATING FACTORS USED TO CALCULATE THE PREMIUM AS PROPRIETARY RATE-RELATED INFORMATION; OR

(II) AUTHORIZE THE COMMISSIONER TO KEEP THE RATING FACTORS CONFIDENTIAL.”.