

# HOUSE BILL 1277

C4, C3

7lr3356  
CF 7lr3471

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By: **Delegate Davis**

Introduced and read first time: February 10, 2017

Assigned to: Economic Matters

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## A BILL ENTITLED

1 AN ACT concerning

2 **Insurance – Producer Licensing – Examinations**

3 FOR the purpose of altering the number of days an applicant for a license to act as an  
4 insurance producer who fails a certain examination must wait before retaking the  
5 examination; and generally relating to examination requirements for insurance  
6 producers.

7 BY repealing and reenacting, with amendments,  
8 Article – Insurance  
9 Section 10–108 and 10–109  
10 Annotated Code of Maryland  
11 (2011 Replacement Volume and 2016 Supplement)

12 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,  
13 That the Laws of Maryland read as follows:

14 **Article – Insurance**

15 10–108.

16 (a) An individual applicant who otherwise qualifies for a license for insurance  
17 other than life insurance, health insurance, or annuities is entitled to be examined as  
18 provided in this section.

19 (b) To determine the competence of an individual applicant as to the kind or  
20 subdivision of insurance for which the applicant wants to become licensed, the applicant  
21 shall pass a written examination that relates to that kind or subdivision of insurance.

22 (c) The Commissioner shall adopt reasonable regulations that specify:

23 (1) the scope, type, conduct, and grading of the written examinations;

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (2) the frequency, times, and locations within the State where the written  
2 examinations will be held; and

3 (3) the educational requirements for an individual applicant to be eligible  
4 to take a written examination.

5 (d) Before taking a written examination, an individual applicant shall:

6 (1) (i) demonstrate to the Commissioner that the applicant has  
7 completed the educational requirements set out by the Commissioner; or

8 (ii) submit to the Commissioner at the time of the examination an  
9 affidavit from the employer of the applicant stating facts that show compliance with the  
10 applicable requirements of § 10–104(e)(2) or (3) of this subtitle, if the applicant qualifies by  
11 meeting the experience requirements of § 10–104(e)(2) or (3) of this subtitle; and

12 (2) pay the application fee required under § 2–112(a)(6)(vi) of this article.

13 (e) All written examinations shall be graded within 30 days following the date of  
14 the examination.

15 (f) An individual applicant who fails an examination may not take another  
16 examination until at least [14 days] **1 DAY** after the date of the last examination that the  
17 applicant failed.

18 10–109.

19 (a) An individual applicant who otherwise qualifies for a license for life insurance,  
20 health insurance, annuities, nonprofit health service plans, dental plan organizations, or  
21 health maintenance organizations is entitled to be examined as provided in this section.

22 (b) (1) Each individual applicant must pass a personal written examination to  
23 determine:

24 (i) the competence of the applicant as to life insurance, health  
25 insurance, or annuities or to any subdivision of them, including contracts for nonprofit  
26 health service plans, vision plans, dental plan organizations, and health maintenance  
27 organizations; and

28 (ii) the familiarity of the applicant with the applicable laws of the  
29 State.

30 (2) Each examination must be graded within 30 days after the date of the  
31 examination.

1           (c)    An individual applicant who fails an examination may not take another  
2 examination until at least [14 days] **1 DAY** after the date of the last examination that the  
3 applicant failed.

4           (d)    The Commissioner shall adopt reasonable regulations that specify:

5                   (1)    the scope, type, conduct, and grading of the written examinations;

6                   (2)    the frequency, times, and places in the State where the written  
7 examinations will be held; and

8                   (3)    subject to § 10–105(e) of this subtitle, the educational requirements for  
9 an individual applicant to be eligible to take a written examination.

10           SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
11 October 1, 2017.