

# SENATE BILL 375

C4

7lr1375  
CF HB 451

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By: **Senator Jennings**

Introduced and read first time: January 26, 2017

Assigned to: Finance

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Committee Report: Favorable

Senate action: Adopted

Read second time: February 14, 2017

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## CHAPTER \_\_\_\_\_

1 AN ACT concerning

2 **Insurance – Bail Bondsmen – Continuing Education Requirements**

3 FOR the purpose of requiring certain insurance producers who sell, solicit, or negotiate bail  
4 bonds to receive continuing education that directly relates to bail bond insurance;  
5 and generally relating to continuing education for insurance producers.

6 BY repealing and reenacting, with amendments,

7 Article – Insurance

8 Section 10–116

9 Annotated Code of Maryland

10 (2011 Replacement Volume and 2016 Supplement)

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

13 **Article – Insurance**

14 10–116.

15 (a) (1) Subject to subsections (b) and (c) of this section, the Commissioner shall  
16 require an insurance producer to receive continuing education as a condition of renewing  
17 the license of the insurance producer.

18 (2) (i) The Commissioner may not require an individual who holds a  
19 license to receive more than 24 hours of continuing education per renewal period.

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



1 (ii) If the individual holds a title insurance producer license, the  
2 Commissioner may not require the insurance producer to receive more than 16 hours of  
3 continuing education per renewal period.

4 (iii) If an insurance producer has held a license for 25 or more  
5 consecutive years as of October 1, 2008, the Commissioner may not require the insurance  
6 producer to receive more than 8 hours of continuing education per renewal period.

7 (iv) The Commissioner may not require an insurance producer to  
8 receive more than 16 hours of continuing education in a renewal period if the insurance  
9 producer is also a licensed funeral director or licensed mortician who:

10 1. sells only life insurance policies or annuity contracts that  
11 fund a pre-need contract as defined in § 7-101 of the Health Occupations Article; and

12 2. is not a viatical settlement broker as defined in § 8-601 of  
13 this article.

14 (v) Of the required hours of continuing education per renewal period  
15 required under subparagraphs (i), (ii), (iii), and (iv) of this paragraph, at least 3 hours shall  
16 relate directly to ethics.

17 (3) Subject to paragraph (4) of this subsection, an insurance producer may  
18 satisfy the continuing education requirements of this subsection by submitting to the  
19 Commissioner or Commissioner's designee:

20 (i) proof that the insurance producer has completed the required  
21 hours of continuing education for the applicable renewal period; or

22 (ii) proof that the insurance producer has completed at least 8 hours  
23 of continuing education for the applicable renewal period and an affidavit that, over the  
24 previous 25 consecutive years, the insurance producer continually:

25 1. has held a license in the State; and

26 2. has been employed in the selling of insurance in the State.

27 (4) (i) To increase the level of education of insurance producers, an  
28 insurance producer shall obtain continuing education in the kind or subdivision of  
29 insurance for which the insurance producer has received a license.

30 (ii) Each insurance producer who possesses a license to sell health  
31 insurance and who sells long-term care insurance shall receive continuing education that  
32 directly relates to long-term care insurance.

1 (iii) Each insurance producer who possesses a license to sell property  
2 and casualty insurance and who sells flood insurance shall receive continuing education  
3 that directly relates to flood insurance.

4 (IV) EACH INSURANCE PRODUCER WHO POSSESSES A LICENSE  
5 TO SELL PROPERTY AND CASUALTY INSURANCE AND WHO SELLS, SOLICITS, OR  
6 NEGOTIATES BAIL BONDS SHALL RECEIVE CONTINUING EDUCATION THAT DIRECTLY  
7 RELATES TO BAIL BOND INSURANCE.

8 [(iv)] (v) Each insurance producer who possesses a license to sell  
9 health insurance and who markets the Senior Prescription Drug Assistance Program or  
10 assists a Medicare beneficiary to enroll in the Senior Prescription Drug Assistance Program  
11 shall receive continuing education that directly relates to the Senior Prescription Drug  
12 Assistance Program.

13 (5) If continuing education is required, the Commissioner may grant a  
14 waiver to an insurance producer who has requested a waiver for reasons that the  
15 Commissioner determines warrant the waiver.

16 (6) An insurer may not prohibit one of its insurance producers from  
17 obtaining continuing education credits from any course approved by the Commissioner.

18 (b) The following individuals are exempt from the continuing education  
19 requirements under this section:

20 (1) employees of a health maintenance organization who are employed  
21 solely to solicit membership in the health maintenance organization under a contract  
22 between the health maintenance organization and the Department of Health and Mental  
23 Hygiene;

24 (2) attorneys at law of the State who are qualified as title insurance  
25 producers and who do not hold a license in any other kind or subdivision of insurance;

26 (3) individuals who hold only a limited lines license to act as an insurance  
27 producer for limited line credit insurance; and

28 (4) insurance producers who hold only a limited lines license in any type of  
29 insurance designated by the Commissioner.

30 (c) A nonresident licensee shall be deemed to have met the continuing education  
31 requirements of this section if:

32 (1) the nonresident licensee satisfies the continuing education  
33 requirements of the home state of the nonresident licensee; and

1           (2)     the home state of the nonresident licensee allows an insurance producer  
2 who is a resident of this State to satisfy the continuing education requirements of the home  
3 state on the same basis by meeting the continuing education requirements of this State.

4           (d)    (1)    The Commissioner may review all continuing education courses  
5 submitted and approve or disapprove courses.

6           (2)    The Commissioner may not disapprove a continuing education course  
7 solely on the basis of the methodology or technology used to deliver instruction to  
8 individuals taking the course.

9           (d-1) (1)   An insurance producer may obtain all or part of the credit hours of  
10 continuing education required for renewal of a license under this section from  
11 correspondence courses or online courses approved by the Commissioner.

12           (2)    This subsection applies to all insurance producers who are required to  
13 receive continuing education as a condition of license renewal under this section, regardless  
14 of the kind or subdivision of insurance for which the insurance producer has received a  
15 license.

16           (e)    The Commissioner may adopt regulations to carry out this section.

17           (f)    This section does not limit the authority of the Commissioner to review,  
18 approve, or disapprove continuing education courses, examinations, and other matters  
19 relating to the education and qualification of insurance producers.

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

Approved:

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Governor.

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President of the Senate.

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Speaker of the House of Delegates.