

Chapter 505

(House Bill 1277)

AN ACT concerning

Insurance – Producer Licensing – Examinations

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

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

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

Article – Insurance

10–108.

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

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

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

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

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

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

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

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

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

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

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

(f) An individual applicant who fails an examination may not take another examination until at least [14 days] ~~1 DAY~~ 4 DAYS after the date of the last examination that the applicant failed.

10–109.

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

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

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

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

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

(c) An individual applicant who fails an examination may not take another examination until at least [14 days] ~~1 DAY~~ 4 DAYS after the date of the last examination that the applicant failed.

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

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

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

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

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

Approved by the Governor, May 4, 2017.