C4 8lr3821 CF SB 876

By: Delegate Jameson

Introduced and read first time: February 8, 2018

Assigned to: Economic Matters

## A BILL ENTITLED

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## Insurance - Commercial Lines - Exemptions From Filings

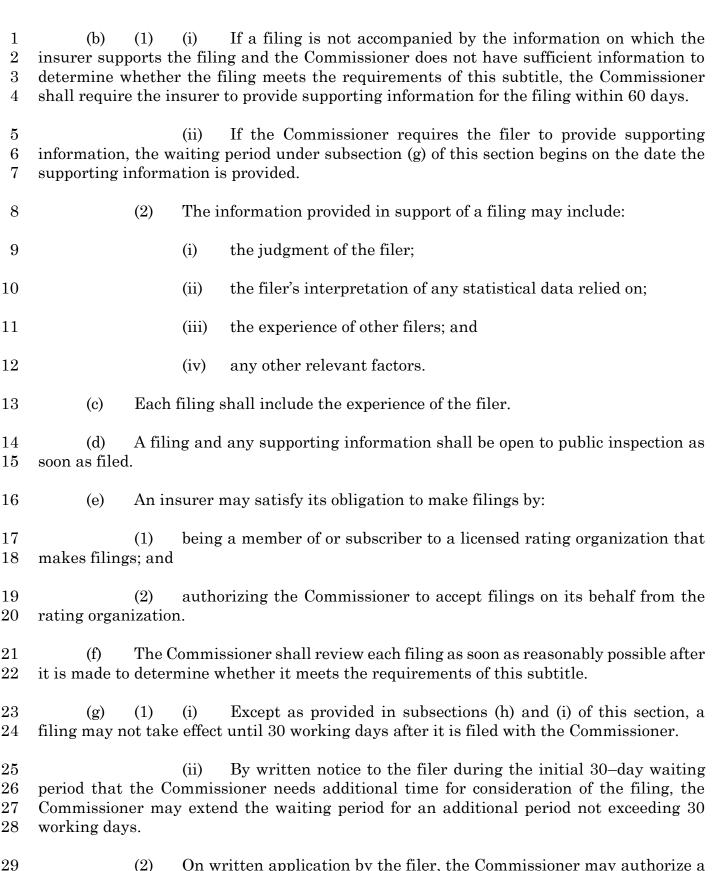
- 3 FOR the purpose of providing that certain requirements to the Maryland Insurance 4 Commissioner for filing with the Commissioner certain rates and supplementary 5 rate information and for modifications of rates and supplementary rate information 6 do not apply to exempt commercial policyholders; repeals the requirement that a 7 certain commercial policyholder has to certify in a certain manner to the 8 Commissioner that it meets certain criteria for a certain exemption; altering the 9 definition of "exempt commercial policyholder"; and generally relating to exemptions from rate and form filings for commercial insurance lines. 10
- 11 BY repealing and reenacting, with amendments,
- 12 Article Insurance
- 13 Section 11–206
- 14 Annotated Code of Maryland
- 15 (2017 Replacement Volume)
- 16 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
- 17 That the Laws of Maryland read as follows:

## 18 Article – Insurance

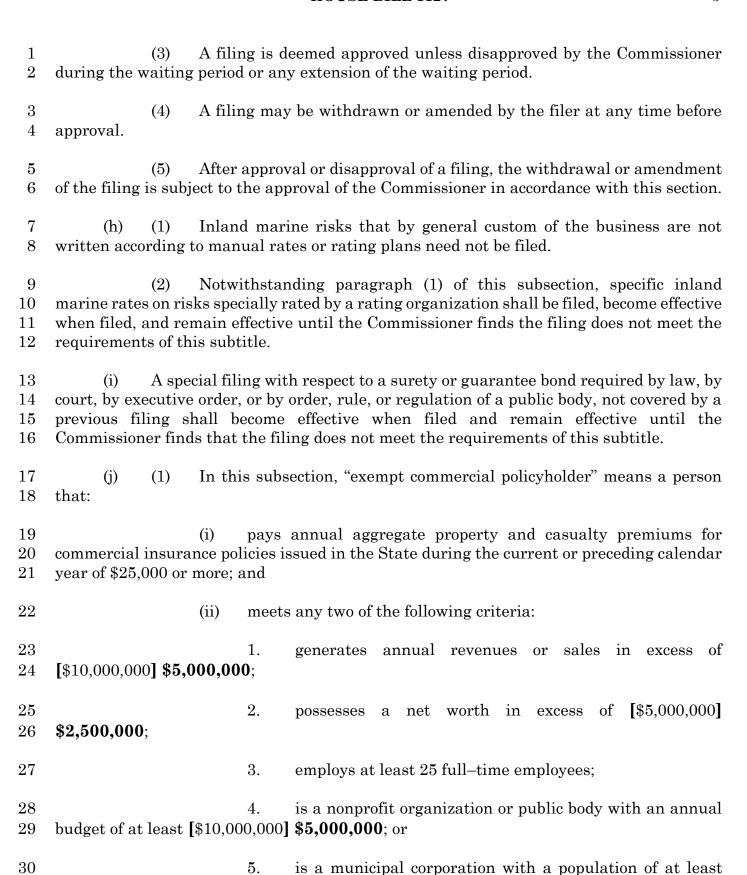
- 19 11–206.
- 20 (a) (1) Except as otherwise provided in this section, each insurer shall file with 21 the Commissioner all rates, supplementary rate information, policy forms, and 22 endorsements and all modifications of rates, supplementary rate information, policy forms, 23 and endorsements that the insurer proposes to use.
- 24 (2) Each filing shall state its proposed effective date and shall indicate the 25 character and extent of the coverage contemplated.



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(2) On written application by the filer, the Commissioner may authorize a filing that the Commissioner has reviewed to become effective before the expiration of the waiting period or any extension of the waiting period or at a later date.



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15,000.

- 1 (2) The filing requirements of this section do not apply to RATES, 2 SUPPLEMENTARY RATE INFORMATION, policy forms, and endorsements and to 3 modifications of RATES, SUPPLEMENTARY RATE INFORMATION, policy forms, and endorsements issued to an exempt commercial policyholder.
- 5 (3) (i) An exempt commercial policyholder must certify in writing, on a 6 form approved by the Commissioner, to the insurer issuing coverage [and the 7 Commissioner] that it meets the criteria necessary for exemption from RATE AND form 8 filing requirements.
- 9 (ii) The certification must include:
- 10 specific reference to the optional criteria that the insured has satisfied to qualify as an exempt commercial policyholder;
- 12 2. information required by the Commissioner for the purpose of determining the annual aggregate premiums of the insured for purposes of paragraph (1)(i) of this subsection; and
- 3. an acknowledgment by the insured that the RATE, SUPPLEMENTARY RATE INFORMATION, policy form, endorsement, or modification intended for use has not been filed with the Commissioner.
- 18 (4) This subsection does not apply to the filing of workers' compensation 19 insurance **RATE AND** policy forms.
- 20 (5) The Commissioner may require, by regulation, that insurers provide 21 information to the Administration on the number and types of policies written for exempt 22 commercial policyholders under this subsection.
- On written request of the Commissioner, an insurer shall file with the Commissioner a form or endorsement issued to an exempt commercial policyholder.
- 25 (7) Except for the exemption from RATE AND form filing requirements 26 under this section, a RATE, SUPPLEMENTARY RATE INFORMATION, form, or 27 endorsement issued to an exempt commercial policyholder is subject to all applicable 28 provisions of this article.
- SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect 30 October 1, 2018.