SENATE BILL 226

C4, P3 1lr0039 (PRE–FILED)

By: Chair, Finance Committee (By Request – Departmental – Maryland Insurance Administration)

Requested: September 29, 2020

Introduced and read first time: January 13, 2021

Assigned to: Finance

AN ACT concorning

A BILL ENTITLED

1	THY THE I CONCETTING

Maryland Insurance Administration – Delivery of Notices and Other Communications by Electronic Means

- 4 FOR the purpose of authorizing the Maryland Insurance Commissioner to send certain notices and communications by electronic means under certain circumstances; 5 6 authorizing, under certain circumstances, a person to send to the Commissioner 7 certain notices and communications by electronic means approved by the 8 Commissioner; providing, subject to certain provisions of law, that certain notices 9 and communications are to be presumed to have been received in the ordinary 10 course; making conforming and stylistic changes; and generally relating to the Maryland Insurance Administration and the delivery of notices and other 11 12 communications.
- 13 BY adding to

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- 14 Article Insurance
- 15 Section 2–116
- 16 Annotated Code of Maryland
- 17 (2017 Replacement Volume and 2020 Supplement)
- 18 BY repealing and reenacting, with amendments,
- 19 Article Insurance
- 20 Section 2–204(c), 4–112(b) and (e)(1), 6–109(b)(1) and (c)(2) and (3), 6–113, 8–423(b),
- 8-509(b), 9-225(e)(1) and (2), 10-121(m), 10-213, 13-116(b)(2), and
- 22 27–704(a)(1)
- 23 Annotated Code of Maryland
- 24 (2017 Replacement Volume and 2020 Supplement)

25 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,

26 That the Laws of Maryland read as follows:

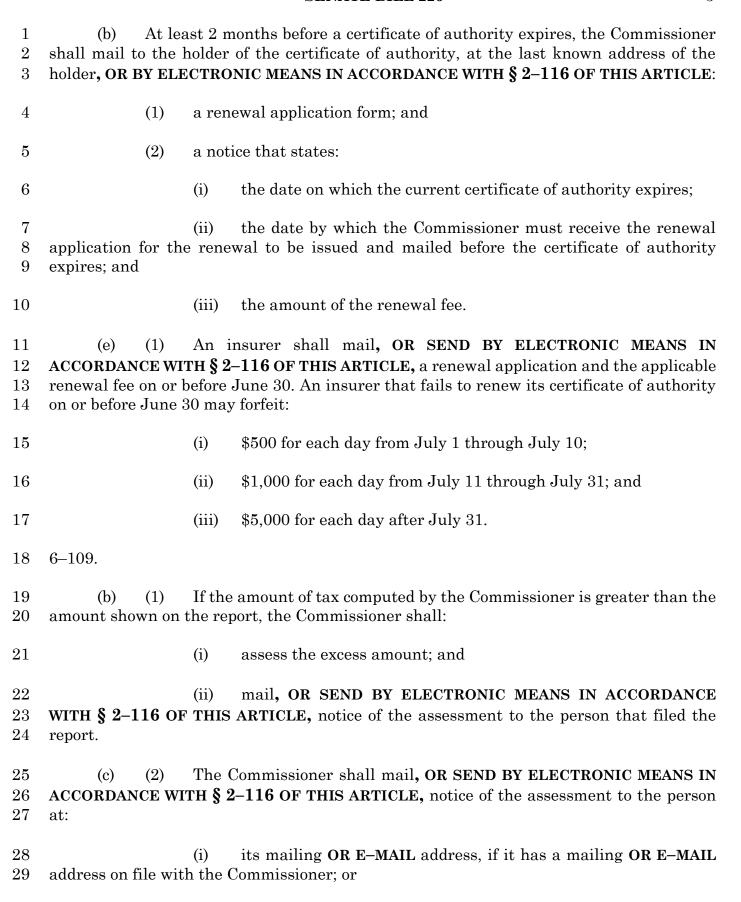
EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

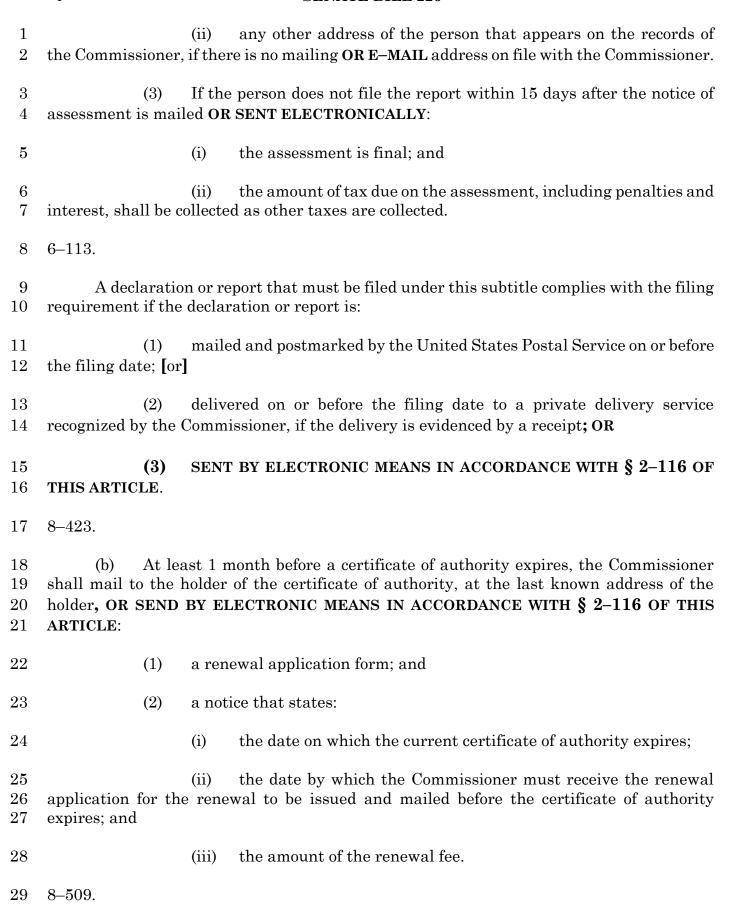
[Brackets] indicate matter deleted from existing law.

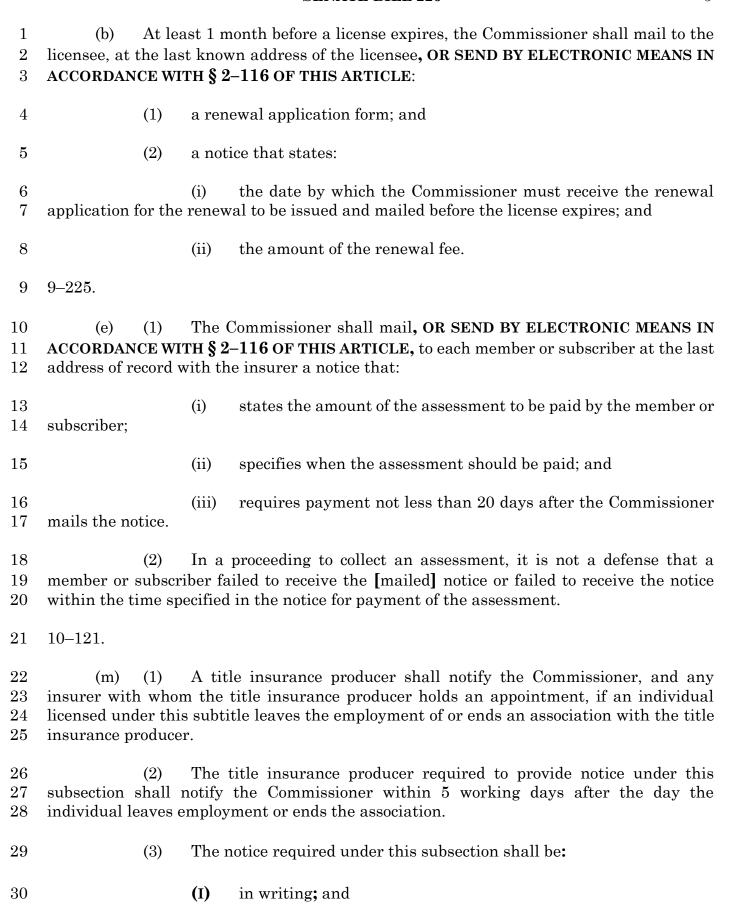


1 Article – Insurance

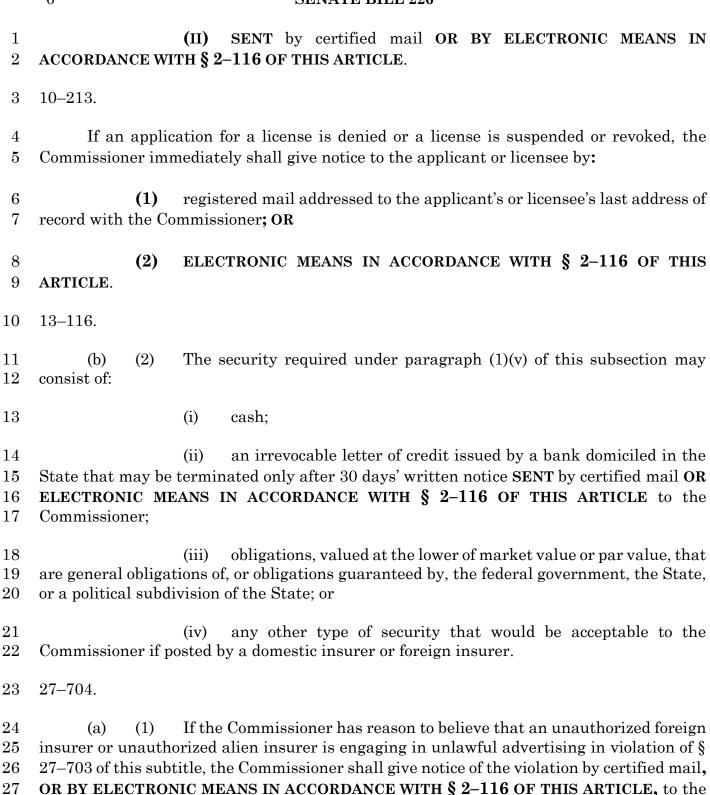
- 2 **2–116.**
- 3 (A) THE COMMISSIONER MAY SEND A NOTICE OR OTHER COMMUNICATION 4 BY ELECTRONIC MEANS IF:
- 5 (1) THE COMMISSIONER IS REQUIRED TO DELIVER, GIVE, MAIL,
- 6 SERVE, OR OTHERWISE PROVIDE THE NOTICE OR OTHER COMMUNICATION IN
- 7 WRITING;
- 8 (2) THE RECIPIENT HAS PROVIDED AN E-MAIL ADDRESS TO THE 9 COMMISSIONER TO RECEIVE NOTICES OR OTHER COMMUNICATIONS;
- 10 (3) THE NOTICE OR OTHER COMMUNICATION IS SENT TO THE E-MAIL
- 11 ADDRESS PROVIDED BY THE RECIPIENT; AND
- 12 (4) THE COMMISSIONER MAINTAINS PROOF THAT THE NOTICE WAS
- 13 SENT TO THE RECIPIENT AT THE RECIPIENT'S E-MAIL ADDRESS.
- 14 (B) IF A PERSON IS REQUIRED TO SEND THE COMMISSIONER A NOTICE OR
- 15 OTHER COMMUNICATION, THE PERSON MAY SEND THE NOTICE OR OTHER
- 16 COMMUNICATION BY ELECTRONIC MEANS APPROVED BY THE COMMISSIONER.
- 17 (C) SUBJECT TO THE PROVISIONS OF THE MARYLAND UNIFORM
- 18 ELECTRONIC TRANSACTIONS ACT, A NOTICE OR OTHER COMMUNICATION SENT IN
- 19 ACCORDANCE WITH THIS SECTION SHALL BE PRESUMED TO HAVE BEEN RECEIVED
- 20 IN THE ORDINARY COURSE.
- 21 2-204.
- 22 (c) An order or notice may be served on a person by:
- 23 (1) mailing it to the person at the last known principal place of business of
- 24 the person, as listed in the records of the Commissioner; [or]
- 25 (2) ELECTRONIC MEANS IN ACCORDANCE WITH § 2–116 OF THIS
- 26 TITLE; OR
- 27 [(2)] (3) otherwise delivering it to the person.
- 28 4–112.







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SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect 30 October 1, 2021.

insurer and the insurance supervisory official of the domiciliary state of the insurer.