

BY: Economic Matters Committee

AMENDMENTS TO HOUSE BILL NO. 1299

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 10, after “law;” insert “adding certain provisions that were inadvertently omitted from the Insurance Article;”.

On page 9, after line 7, insert:

“BY adding to

Article - Insurance

Section 2-105(e), 2-109(c), 10-104(f), and 10-105(f)

Annotated Code of Maryland

(1995 Volume and 1996 Supplement)

(As enacted by Chapter 36 of the Acts of the General Assembly of 1995)

BY adding to

Article - Insurance

Section 11-212

Annotated Code of Maryland

(1995 Volume and 1996 Supplement)

(As enacted by Chapter \_\_\_\_\_ (H.B. 11) of the Acts of the General Assembly of 1997) “.

AMENDMENT NO. 2

On page 52, after line 13, insert:

“SECTION 15. AND BE IT FURTHER ENACTED, That the laws of Maryland read as follows:

Article - Insurance

(Over)

2-105.

(E) ON OR BEFORE JANUARY 31 OF EACH YEAR, THE COMMISSIONER SHALL REPORT TO THE SECRETARY AND, SUBJECT TO § 2-1312 OF THE STATE GOVERNMENT ARTICLE, TO THE GENERAL ASSEMBLY SETTING FORTH ALL STAFF POSITIONS, CLASSIFICATIONS, AND SALARIES IN THE ADMINISTRATION AS OF THE END OF THE PRECEDING CALENDAR YEAR.

REVISOR'S NOTE: This subsection formerly was Art. 48A, § 18(b)(5).

The only changes are in style.

Defined terms:

"Administration" § 1-101

"Commissioner" § 1-101

2-109.

(C) IN ADDITION TO ANY OTHER PENALTY PROVIDED, A PERSON THAT WILLFULLY VIOLATES A REGULATION ADOPTED UNDER THIS ARTICLE IS SUBJECT TO ANY APPLICABLE PENALTY UNDER THIS ARTICLE FOR VIOLATION OF THE PROVISION TO WHICH THE REGULATION RELATES.

REVISOR'S NOTE: This subsection formerly was Art. 48A, § 26(2).

The only changes are in style.

Defined term:

"Person" § 1-101

10-104.

(F) AN APPLICANT MAY QUALIFY AS TO ANY PARTICULAR KIND OR KINDS OF INSURANCE AND MAY REQUEST A CERTIFICATE OF QUALIFICATION TO ACT AS AN AGENT OR BROKER OR BOTH.

REVISOR'S NOTE: This subsection formerly was Art. 48A, § 176(c)(1).

The only changes are in style.

Defined terms:

“Agent” § 1-101

“Broker” § 1-101

“Certificate of qualification” § 10-101

“Insurance” § 1-101

10-105.

(F) AN APPLICANT MAY QUALIFY AS TO ANY PARTICULAR KIND OR KINDS OF INSURANCE AND MAY REQUEST A CERTIFICATE OF QUALIFICATION TO ACT AS AN AGENT OR BROKER OR BOTH.

REVISOR’S NOTE: This subsection formerly was Art. 48A, § 176(c)(1).

The only changes are in style.

Defined terms:

“Agent” § 1-101

“Broker” § 1-101

“Certificate of qualification” § 10-101

“Insurance” § 1-101

11-212.

(A) EACH FILER SHALL PROVIDE REASONABLE MEANS WITHIN THE STATE BY WHICH A PERSON AGGRIEVED BY THE APPLICATION OF ITS RATING SYSTEM MAY BE HEARD IN PERSON OR BY AN AUTHORIZED REPRESENTATIVE ON THE PERSON’S WRITTEN REQUEST TO REVIEW THE MANNER IN WHICH THE RATING SYSTEM HAS BEEN APPLIED IN CONNECTION WITH THE INSURANCE AFFORDED THE AGGRIEVED PERSON.

(B) IF THE FILER FAILS TO GRANT OR REJECT THE AGGRIEVED PERSON'S REQUEST WITHIN 30 DAYS AFTER IT IS MADE, THE APPLICANT MAY PROCEED AS IF THE APPLICATION HAD BEEN REJECTED.

(C) WITHIN 30 DAYS AFTER WRITTEN NOTICE OF THE ACTION OF A FILER ON A REQUEST FOR REVIEW, ANY PERSON AFFECTED BY THE ACTION MAY APPEAL TO THE COMMISSIONER.

(D) (1) THE COMMISSIONER SHALL HOLD A HEARING ON THE ACTION OF THE FILER.

(2) THE COMMISSIONER SHALL GIVE WRITTEN NOTICE OF THE HEARING TO THE APPELLANT AND FILER AT LEAST 10 DAYS BEFORE THE HEARING.

(3) AFTER THE HEARING, THE COMMISSIONER MAY AFFIRM OR REVERSE THE ACTION.

REVISOR'S NOTE: This section formerly was Art. 48A, § 242(k).

The only changes are in style.

Defined terms:

"Commissioner" § 1-101

"Insurance" § 1-101

"Person" § 1-101 "

On page 52 in lines 14, 21, 29, 33, and 36, on page 53 in lines 1, 6, 14, 20, 26, 33, and 40, and on page 54 in line 3, strike "15.", "16.", "17.", "18.", "19.", "20.", "21.", "22.", "23.", "24.", "25.", "26.", and "27.", respectively, and substitute "16.", "17.", "18.", "19.", "20.", "21.", "22.", "23.", "24.", "25.", "26.", "27.", and "28.", respectively.