
By: Chairman, Economic Matters Committee (Departmental - Insurance Administration, Maryland)

Introduced and read first time: January 20, 1997

Assigned to: Economic Matters

Committee Report: Favorable with amendments

House action: Adopted

Read second time: March 13, 1997

CHAPTER ____

1 AN ACT concerning

**2 Insurance Professionals - Certificate of Qualification - Issuance, Expiration, Renewal,
3 Reinstatement, and Conditions**

4 FOR the purpose of providing that certificates of qualification for agents and brokers
5 expire at a time certain unless a proper renewal is made; clarifying the procedure
6 for renewal of certificates of authority for agents and brokers; clarifying the
7 continuing education requirements for agents and brokers; clarifying that
8 satisfaction of the continuing education requirements is a requirement for the
9 renewal of an agent's or broker's certificate of qualification; prohibiting an insurer
10 from prohibiting one of its agents from obtaining continuing education credits
11 under certain circumstances; providing certain exceptions to the continuing
12 education requirements; requiring the Maryland Insurance Commissioner to review
13 and approve certain continuing education courses; requiring the Commissioner to
14 appoint a Property and Casualty Insurance Advisory Board and a Life and Health
15 Insurance Advisory Board to assist the Commissioner and repealing certain
16 obsolete advisory boards; clarifying the effect of the expiration of a certificate of
17 qualification or registration that has expired; providing a procedure for
18 reinstatement of an expired certificate of qualification or registration within a
19 certain time period; providing for a certain fee; clarifying the effect of failure to
20 reinstate an expired certificate of qualification or registration; modifying the power
21 of the Commissioner to require examinations of agents or brokers whose certificates
22 of qualification have been terminated or suspended; changing the dates and
23 clarifying the conditions for renewal of licenses for public adjusters, insurance
24 advisers, surplus lines brokers, and third party administrators to correspond to the
25 dates and conditions of renewal for agents and brokers; providing for a certain
26 exemption for certain insurance advisers; making certain corrections and clarifying
27 that there must be notice and opportunity for a hearing under certain

2

1 circumstances; correcting certain provisions and clarifying certain terms in the
 2 revised Insurance Article; repealing a certain termination date; clarifying certain
 3 terminology; requiring the Maryland Insurance Administration to take certain
 4 corrective actions; and generally relating to the issuance, expiration, renewal, and
 5 conditions of certificates of qualification of insurance professionals.

6 BY repealing and reenacting, with amendments,
 7 Article 48A - Insurance Code
 8 Section 170, 175, 176(e), 181(e), ~~182(h)~~ 182(d)(2)(iii), (h), and (i), 188, and 685
 9 Annotated Code of Maryland
 10 (1994 Replacement Volume and 1996 Supplement)

11 BY repealing
 12 Article 48A - Insurance Code
 13 Section 170.1 and 179
 14 Annotated Code of Maryland
 15 (1994 Replacement Volume and 1996 Supplement)

16 BY adding to
 17 Article 48A - Insurance Code
 18 Section 170.1, 181.1, 182.1, 188.1, and 685.1
 19 Annotated Code of Maryland
 20 (1994 Replacement Volume and 1996 Supplement)

21 BY repealing
 22 Article - Insurance
 23 Section 10-110 and 10-116
 24 Annotated Code of Maryland
 25 (1995 Volume and 1996 Supplement)
 26 (As enacted by Chapter 36 of the Acts of the General Assembly of 1995)

27 BY adding to
 28 Article - Insurance
 29 Section 3-316.1, 8-308.1, 10-110, 10-116, 10-116.1, 10-211.1, and 10-408.1
 30 Annotated Code of Maryland
 31 (1995 Volume and 1996 Supplement)
 32 (As enacted by Chapter 36 of the Acts of the General Assembly of 1995)

33 BY repealing and reenacting, with amendments,
 34 Article - Insurance
 35 Section 3-311, 3-316, 8-308, 10-111, and 10-115
 36 Annotated Code of Maryland
 37 (1995 Volume and 1996 Supplement)
 38 (As enacted by Chapter 36 of the Acts of the General Assembly of 1995)

3

1 BY repealing and reenacting, with amendments,
2 Article - Insurance
3 Section 10-104(a) and (e) and 10-109
4 Annotated Code of Maryland
5 (1995 Volume and 1996 Supplement)
6 (As enacted by Chapter 36 of the Acts of the General Assembly of 1995, as
7 amended by Chapter 370 of the Acts of the General Assembly of 1996)

8 BY repealing and reenacting, with amendments,
9 Article - Insurance
10 Section 10-107
11 Annotated Code of Maryland
12 (1995 Volume and 1996 Supplement)
13 (As enacted by Chapter 36 of the Acts of the General Assembly of 1995, as
14 amended by Chapter 271, Section 2 of the Acts of the General Assembly of
15 1996)

16 BY repealing and reenacting, with amendments,
17 Article - Insurance
18 Section 10-108
19 Annotated Code of Maryland
20 (1995 Volume and 1996 Supplement)
21 (As enacted by Chapter 36 of the Acts of the General Assembly of 1995, as
22 amended by Chapters 271 and 370 of the Acts of the General Assembly of
23 1996)

24 BY repealing and reenacting, with amendments,
25 Article - Insurance
26 Section 10-112(a) and 10-126(a), (b), and (e)
27 Annotated Code of Maryland
28 (1995 Volume and 1996 Supplement)
29 (As enacted by Chapter 36 of the Acts of the General Assembly of 1995, as
30 amended by Chapter 635 of the Acts of the General Assembly of 1995, as
31 amended by Chapters 206 and 239 of the Acts of the General Assembly of
32 1996)

33 BY repealing and reenacting, with amendments,
34 Article - Insurance
35 Section 10-125(d)
36 Annotated Code of Maryland
37 (1995 Volume and 1996 Supplement)
38 (As enacted by Chapter 635 of the Acts of the General Assembly of 1995, as
39 amended by Chapter 239 of the Acts of the General Assembly of 1996)

40 BY repealing and reenacting, with amendments,

4

1 Article - Insurance
2 Section 10-204(c)(3), 10-211, and 10-408
3 Annotated Code of Maryland
4 (1995 Volume and 1996 Supplement)
5 (As enacted by Chapter 36 of the Acts of the General Assembly of 1995, as
6 amended by Chapter 369 of the Acts of the General Assembly of 1996)

7 BY repealing and reenacting, with amendments,
8 Chapter 609 of the Acts of the General Assembly of 1989, as amended by Chapter
9 39 of the Acts of the General Assembly of 1993
10 Section 2

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

13 **Article 48A - Insurance Code**

14 170.

15 (a) (1) Certificates OF QUALIFICATION issued to agents and brokers shall be
16 renewed every other year ON OR BEFORE JUNE 30, unless prior thereto the certificate OF
17 QUALIFICATION is revoked or suspended by the Commissioner or terminated under this
18 section.

19 (2) The Commissioner may adopt rules and regulations to implement and
20 operate a staggered system of certificate renewal.

21 (b) (1) [Subject to paragraph (2) of this subsection, in] IN the absence of a
22 contrary ruling by the [Commissioner] COMMISSIONER, certificates OF
23 QUALIFICATION shall be renewed [every 2 years] subject to the payment of the biennial
24 fee as required in § 41 of this article AND UPON COMPLETION OF THE CONTINUING
25 EDUCATION REQUIREMENTS IN SUBSECTION (C) OF THIS SECTION [upon request but
26 without further action on the part of the agent or broker].

27 (2) Upon payment of the prescribed fees AND COMPLETION OF THE
28 CONTINUING EDUCATION REQUIREMENTS prior to the date of renewal, the certificate
29 OF QUALIFICATION shall continue in force until renewed by the Commissioner [or until
30 such time as the Commissioner has refused for cause to renew that certificate].

31 [(2)] (C) (1) [As a condition of a certificate renewal,] SUBJECT TO
32 SUBSECTION (D) OF THIS SECTION, the Commissioner shall require AS A CONDITION
33 OF RENEWING A CERTIFICATE OF QUALIFICATION that an agent or broker [receive]
34 COMPLETE THE REQUIRED continuing education BY JUNE 15 IMMEDIATELY PRIOR TO
35 THE EXPIRATION OF THE CERTIFICATE OF QUALIFICATION.

36 [(i)] (2) [Regardless of the number of certificates an agent or broker
37 may have, the] THE Commissioner may not require [an agent or broker] EACH
38 INDIVIDUAL HOLDING AN AGENT'S CERTIFICATE OF QUALIFICATION, A BROKER'S
39 CERTIFICATE OF QUALIFICATION, OR BOTH to receive:

5

1 [1.] (I) [If the agent or broker has been licensed for less than 25
2 consecutive years, more] MORE than 16 [clock] hours of continuing education per
3 [license] renewal PERIOD IF THE AGENT OR BROKER HAS HELD A CERTIFICATE OF
4 QUALIFICATION FOR LESS THAN 25 CONSECUTIVE YEARS; and

5 [2.] (II) [If the agent or broker has been licensed for 25 or more
6 consecutive years, more] MORE than 8 [clock] hours of continuing education per
7 [license] renewal PERIOD IF THE AGENT OR BROKER HAS HELD A CERTIFICATE OF
8 QUALIFICATION FOR 25 OR MORE CONSECUTIVE YEARS.

9 [(ii) The continuing education shall promote the education level of
10 agents and brokers in lines or specialties appropriate to the certificate category.

11 [(iii) If continuing education is required, the Commissioner may grant a
12 waiver when:

- 13 1. The agent or broker has a limited license;
14 2. The agent or broker is a retiree; or
15 3. The Commissioner determines that other circumstances
16 warrant the waiver.

17 [(iv) An agent or broker may satisfy the requirements of subparagraph
18 (i)2 of this paragraph by submitting to the Commissioner:

- 19 1. Proof that the agent or broker has completed 8 clock hours of
20 continuing education for the applicable license renewal period; and
21 2. An affidavit that, over the previous 25 consecutive years, the
22 agent or broker has been:
23 A. Continually licensed as an agent or broker in this State; and
24 B. Continually employed in the selling of insurance in this State.

25 (3) The Commissioner shall adopt such regulations as are necessary for the
26 implementation of this subsection. The Commissioner may approve as continuing
27 education, courses offered by an insurer or an agent's or broker's employer or an agent's
28 or broker's association.]

29 (3) SUBJECT TO PARAGRAPH (4) OF THIS SUBSECTION, AN AGENT OR
30 BROKER MAY SATISFY THE CONTINUING EDUCATION REQUIREMENTS OF THIS
31 SUBSECTION BY SUBMITTING TO THE COMMISSIONER OR HIS DESIGNEE:

32 (I) PROOF THAT THE AGENT OR BROKER HAS COMPLETED AT
33 LEAST 16 HOURS OF CONTINUING EDUCATION FOR THE APPLICABLE RENEWAL
34 PERIOD; OR

35 (II) PROOF THAT THE AGENT OR BROKER HAS COMPLETED AT
36 LEAST 8 HOURS OF CONTINUING EDUCATION FOR THE APPLICABLE RENEWAL
37 PERIOD AND AN AFFIDAVIT THAT, OVER THE PREVIOUS 25 CONSECUTIVE YEARS,
38 THE AGENT OR BROKER CONTINUALLY:

6

1 1. HAS HELD AN AGENT'S CERTIFICATE OF QUALIFICATION
2 OR A BROKER'S CERTIFICATE OF QUALIFICATION IN THIS STATE; AND

3 2. HAS BEEN EMPLOYED IN THE SELLING OF INSURANCE IN
4 THIS STATE.

5 (4) (I) TO PROMOTE THE EDUCATION LEVEL OF AGENTS AND
6 BROKERS, THE CONTINUING EDUCATION SHALL BE OBTAINED IN THE KIND OR
7 SUBDIVISION OF INSURANCE FOR WHICH THE AGENT OR BROKER HAS RECEIVED A
8 CERTIFICATE OF QUALIFICATION.

9 (II) EVERY AGENT OR BROKER POSSESSING A CERTIFICATE OF
10 QUALIFICATION TO SELL HEALTH INSURANCE AND WHO SELLS LONG-TERM CARE
11 INSURANCE SHALL RECEIVE CONTINUING EDUCATION THAT DIRECTLY RELATES
12 TO LONG-TERM CARE INSURANCE.

13 ~~{(4)} (5) In each renewal period, the Commissioner:~~

14 ~~(i) Shall] SHALL permit an agent or broker to receive up to~~
15 ~~three-fourths of the agent's or broker's continuing education requirement from a course~~
16 ~~or courses sponsored by an insurance company or companies]; and~~

17 ~~(ii) May permit an agent or broker to receive all of the agent's or~~
18 ~~broker's continuing education requirement from a course or courses sponsored by an~~
19 ~~insurance company or companies].~~

20 ~~{(6)} (5) IF CONTINUING EDUCATION IS REQUIRED, THE~~
21 ~~COMMISSIONER MAY GRANT A WAIVER TO:~~

22 ~~(I) AN AGENT OR BROKER WHO IS 70 YEARS OR OLDER; OR~~

23 ~~(II) AN AGENT OR BROKER WHO HAS REQUESTED A WAIVER FOR~~
24 ~~OTHER CIRCUMSTANCES REASONS THAT ARE DETERMINED BY THE COMMISSIONER~~
25 ~~TO WARRANT THE WAIVER.~~

26 (6) AN INSURER MAY NOT PROHIBIT ONE OF ITS AGENTS FROM
27 OBTAINING CONTINUING EDUCATION CREDITS FROM ANY COURSE APPROVED BY
28 THE COMMISSIONER.

29 [(c) An agent's certificate of qualification may not be renewed if for a period of 2
30 years prior to the time of renewal the agent has had no appointments from insurers doing
31 business in this State.]

32 (D) THE FOLLOWING PERSONS ARE EXEMPT FROM THE CONTINUING
33 EDUCATION REQUIREMENTS IMPOSED UNDER THIS SECTION:

34 (1) EMPLOYEES OF HEALTH MAINTENANCE ORGANIZATIONS WHO ARE
35 EMPLOYED SOLELY TO SOLICIT MEMBERSHIP IN THE HEALTH MAINTENANCE
36 ORGANIZATION UNDER A CONTRACT BETWEEN THE HEALTH MAINTENANCE
37 ORGANIZATION AND THE DEPARTMENT OF HEALTH AND MENTAL HYGIENE;

7

1 (2) ATTORNEYS AT LAW OF THE STATE WHO ARE QUALIFIED AS TITLE
2 INSURANCE AGENTS OR BROKERS AND WHO DO NOT HOLD A CERTIFICATE OF
3 QUALIFICATION IN ANY OTHER KIND OR SUBDIVISION OF INSURANCE; AND

4 (3) AGENTS OR BROKERS HOLDING ONLY A RESTRICTED CERTIFICATE
5 OF QUALIFICATION IN ANY ~~OF THE FOLLOWING TYPES OF INSURANCE:~~

6 ~~(I) CREDIT LIFE, CREDIT ACCIDENT, OR CREDIT HEALTH~~
7 ~~INSURANCE;~~

8 ~~(II) TRAVEL TICKET POLICIES OF LIFE, ACCIDENT, OR BAGGAGE~~
9 ~~INSURANCE; OR~~

10 ~~(III) ANY OTHER~~ TYPE OF INSURANCE DESIGNATED BY THE
11 COMMISSIONER.

12 (E) THE COMMISSIONER SHALL REVIEW AND CONSIDER ALL CONTINUING
13 EDUCATION COURSES SUBMITTED AND SHALL APPROVE OR DISAPPROVE COURSES
14 UPON AFTER RECEIVING THE RECOMMENDATION OF THE APPLICABLE ADVISORY
15 BOARD.

16 (F) (1) THE COMMISSIONER SHALL APPOINT A LIFE AND HEALTH
17 ADVISORY BOARD AND A PROPERTY AND CASUALTY ADVISORY BOARD TO ASSIST
18 THE COMMISSIONER IN REVIEWING CONTINUING EDUCATION COURSES,
19 EXAMINATIONS, AND OTHER MATTERS RELATING TO THE EDUCATION AND
20 QUALIFICATION OF AGENTS AND BROKERS.

21 (2) (I) THE LIFE AND HEALTH ADVISORY BOARD SHALL CONSIST OF
22 AT LEAST EIGHT PERSONS EXPERIENCED IN THE LIFE OR HEALTH INSURANCE
23 BUSINESS AND MAY INCLUDE AGENTS, BROKERS, AND OFFICERS AND EMPLOYEES
24 OF INSURERS.

25 (II) THE PROPERTY AND CASUALTY ADVISORY BOARD SHALL
26 CONSIST OF AT LEAST EIGHT PERSONS EXPERIENCED IN THE PROPERTY OR
27 CASUALTY INSURANCE BUSINESS AND MAY INCLUDE AGENTS, BROKERS, AND
28 OFFICERS AND EMPLOYEES OF INSURERS.

29 (III) EACH ADVISORY BOARD UNDER THIS SUBSECTION SHALL
30 HAVE AT LEAST TWO MEMBERS WHO ARE AGENTS OR BROKERS WITH VALID
31 CERTIFICATES OF QUALIFICATION ISSUED IN THIS STATE IN THAT KIND OF
32 INSURANCE.

33 (3) (I) ADVISORY BOARD MEMBERS SHALL BE:

34 1. APPOINTED FOR TERMS OF 4 YEARS; AND

35 2. ELIGIBLE FOR REAPPOINTMENT.

36 (II) ANY PERSON APPOINTED TO FILL A VACANCY SHALL SERVE
37 FOR THE REMAINDER OF THE UNEXPIRED TERM.

38 (III) THE COMMISSIONER MAY STAGGER THE TERMS OF MEMBERS
39 OF EACH ADVISORY BOARD UNDER THIS SUBSECTION.

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1 (4) ADVISORY BOARD MEMBERS SHALL SERVE WITHOUT PAY BUT THE
 2 COMMISSIONER MAY AUTHORIZE REIMBURSEMENT FOR REASONABLE EXPENSES
 3 INCURRED BY MEMBERS FOR ATTENDING MEETINGS OF THE ADVISORY BOARD.

4 (G) THE COMMISSIONER MAY ADOPT REGULATIONS TO CARRY OUT THIS
 5 SECTION.

6 [179.

7 (a) With respect to the education, qualifications and examinations of agents and
 8 brokers as to kinds of insurance other than life and health, the Commissioner shall
 9 appoint an advisory board of seven (7) persons, consisting of three (3) representatives of
 10 insurers, at least one of which shall be from a stock insurer and at least one of which shall
 11 be from a mutual insurer, with full regard for representation of insurers engaged in the
 12 writing of specialized kinds of insurance, three (3) insurance agents or brokers, at least
 13 one (1) of which shall be an agent for a stock insurer and at least one (1) of which shall
 14 be an agent for a mutual insurer and one (1) representative of the State Department of
 15 Education. The six (6) industry representatives shall be appointed to serve terms of three
 16 (3) years each.

17 (b) With respect to the education, qualifications and examinations of agents,
 18 brokers and solicitors as to life and health insurance the Commissioner shall appoint an
 19 advisory board of eight (8) persons. This advisory board shall consist of individuals
 20 experienced in the life and health insurance business, and may include agents, officers
 21 and employees of insurers, and brokers. Members shall be appointed for terms of four
 22 years, except that any person appointed to fill a vacancy shall serve only for the unexpired
 23 term. Any member of the advisory board shall be eligible for reappointment.

24 (c) The present advisory boards are continued and appointments of members
 25 made prior to December 31, 1963, shall continue in effect.

26 (d) The members of the advisory boards shall serve without pay but, upon
 27 authorization of the Commissioner, shall be reimbursed for their reasonable expenses in
 28 attending meetings of the advisory board.]

29 SECTION 2. AND BE IT FURTHER ENACTED, That the Laws of Maryland
 30 read as follows:

31 **Article 48A - Insurance Code**

32 [170.1.

33 As part of the continuing education requirements under this title, the Commissioner
 34 shall require agents and brokers that sell or issue long-term care insurance to receive
 35 continuing education directly relating to long-term care insurance before an agent can
 36 offer long-term care insurance for sale.]

37 170.1.

38 (A) (1) IF AN APPLICATION FOR RENEWAL OF AN AGENT'S OR BROKER'S
 39 CERTIFICATE OF QUALIFICATION ~~HAS NOT BEEN RECEIVED BY THE COMMISSIONER~~
 40 IS NOT POSTMARKED ON OR BEFORE JUNE 30 OF THE YEAR OF RENEWAL, IN
 41 ACCORDANCE WITH § 170 OF THIS ARTICLE, THE CERTIFICATE OF QUALIFICATION

9

1 SHALL EXPIRE ~~AT THE END OF THE~~ AFTER THAT JUNE 30 ~~IMMEDIATELY PRECEDING~~
2 ~~THE RENEWAL DATE.~~

3 (2) IF A CERTIFICATE OF QUALIFICATION EXPIRES UNDER PARAGRAPH
4 (1) OF THIS SUBSECTION, THE APPOINTMENTS HELD BY THE AGENT SHALL BE
5 TERMINATED AS OF THE DAY OF THE EXPIRATION OF THE CERTIFICATE.

6 (B) ON OR BEFORE SEPTEMBER 30 OF THE RENEWAL YEAR, A PERSON WHOSE
7 CERTIFICATE OF QUALIFICATION HAS EXPIRED MAY REINSTATE THE EXPIRED
8 CERTIFICATE BY:

9 (1) FILING WITH THE COMMISSIONER THE APPROPRIATE
10 REINSTATEMENT APPLICATION;

11 (2) PAYING TO THE COMMISSIONER THE APPLICABLE REINSTATEMENT
12 FEE REQUIRED UNDER SUBSECTION (C) OF THIS SECTION; AND

13 (3) SUBMITTING PROOF OF COMPLETION OF THE CONTINUING
14 EDUCATION REQUIREMENTS IN § 170(C) OF THIS ARTICLE.

15 (C) THE FEE FOR A REINSTATEMENT UNDER THIS SECTION SHALL BE TWICE
16 THE AMOUNT CHARGED FOR A FULL RENEWAL PERIOD FOR THE TYPE OF
17 CERTIFICATE OF QUALIFICATION HELD BY THE PERSON SEEKING THE
18 REINSTATEMENT.

19 (D) (1) A PERSON WHOSE BROKER'S CERTIFICATE OF QUALIFICATION HAS
20 EXPIRED ~~MAY NOT CONDUCT~~ IS PROHIBITED FROM CONDUCTING ANY INSURANCE
21 BUSINESS UNTIL THE EFFECTIVE DATE OF REINSTATEMENT OF THE CERTIFICATE
22 OF QUALIFICATION.

23 (2) A PERSON WHOSE AGENT'S CERTIFICATE OF QUALIFICATION HAS
24 EXPIRED ~~MAY NOT CONDUCT~~ IS PROHIBITED FROM CONDUCTING ANY INSURANCE
25 BUSINESS UNLESS THE PERSON:

26 (I) HAS OBTAINED A REINSTATEMENT OF THE CERTIFICATE OF
27 QUALIFICATION; AND

28 (II) HAS OBTAINED AN APPOINTMENT FROM AT LEAST ONE
29 INSURER.

30 (E) A PERSON WHO DOES NOT COMPLY WITH SUBSECTION (B) OF THIS
31 SECTION ON OR BEFORE ~~THE END OF~~ SEPTEMBER 30 OF THE YEAR OF EXPIRATION
32 SHALL APPLY FOR A CERTIFICATE OF QUALIFICATION UNDER § 168 OF THIS ARTICLE
33 AND MEET THE REQUIREMENTS SPECIFIED BY THE COMMISSIONER IN
34 REGULATION.

35 (F) THE COMMISSIONER MAY LIMIT THE REINSTATEMENT FEE TO THE
36 AMOUNT OF THE RENEWAL FEE IN CASES WHERE THE REINSTATEMENT APPLICANT
37 DID NOT MAKE TIMELY RENEWAL BECAUSE OF TEMPORARY INCAPACITY,
38 HOSPITALIZATION, OR OTHER HARDSHIP.

39 ~~(F)~~ (G) THE COMMISSIONER MAY ADOPT REGULATIONS TO CARRY OUT
40 THIS SECTION.

10

1 SECTION 3. AND BE IT FURTHER ENACTED, That the Laws of Maryland
2 read as follows:

3 **Article 48A - Insurance Code**

4 175.

5 (a) An original application for a certificate may be refused until the
6 Commissioner is satisfied under the provisions of §§ 35-39 that the applicant is not guilty
7 of violating any provisions of this section. A certificate duly issued may be suspended or
8 revoked or the renewal OR REINSTATEMENT thereof refused by the Commissioner if he
9 finds, after notice and OPPORTUNITY FOR A hearing in accordance with the provisions of
10 §§ 35-39, that the applicant for, or holder of such certificate:

11 (1) Has wilfully violated any provision of this article or of any other law of
12 this State relating to insurance as herein defined, or relating to another type of insurance;
13 or

14 (2) Has intentionally misrepresented or concealed any material fact in the
15 application for such certificate; or

16 (3) Has obtained, or attempted to obtain, such certificate by
17 misrepresentation, concealment, or other fraud; or

18 (4) Has misappropriated, converted or unlawfully withheld money belonging
19 to an insurer, agent, broker, beneficiary, or an insured; or

20 (5) Has wilfully and materially misrepresented the provisions of an
21 insurance policy; or

22 (6) Has committed fraudulent or dishonest practices in the business of
23 insurance; or

24 (6A) Has participated with or without the knowledge of an insurer in the
25 selling of motor vehicle insurance without any bona fide intention to sell such insurance,
26 as evidenced by a persistent pattern of filing of certificates of insurance together with or
27 closely followed by cancellation notices for such insurance under the Unsatisfied Claim
28 and Judgment Fund Law; or

29 (7) Has been convicted by final judgment in any State or federal court of a
30 crime involving moral turpitude; or

31 (8) Has knowingly participated in the writing or issuance of substantial
32 over-insurance of any property insurance risks; or

33 (9) Has failed to pass an examination required pursuant to this subtitle; or

34 (10) Has wilfully failed to comply with, or has wilfully violated, any proper
35 order, rule or regulation issued by the Commissioner; or

36 (11) Has failed or refused, upon demand, to pay over any money in his hands
37 which belongs to an insurer, agent, broker, or other person entitled to receive the same;
38 or

11

1 (12) Has otherwise shown lack of trustworthiness or lack of competence to
2 act as agent or broker; or

3 (13) Is not or does not intend to carry on business in good faith and hold
4 himself out to the public as an agent or broker; or

5 (14) Has been refused a license or certificate or had his license suspended or
6 revoked in another state; or

7 (15) Has intentionally or wilfully made or issued, or caused to be made or
8 issued, any statement materially misrepresenting or making incomplete comparisons
9 regarding the terms or conditions of any policy or contract issued by any authorized
10 insurer, for the purpose of inducing or attempting to induce the owner of such policy or
11 contract to forfeit or surrender such contract or allow it to lapse for the purpose of
12 replacing such policy or contract with another; or

13 (16) Has transacted insurance business which was directed to him for
14 consideration by a person whose license or certificate to engage in the insurance business,
15 at that time, was suspended or revoked and the applicant for or holder of such license or
16 certificate knew or should have known that the person's license or certificate was
17 suspended or revoked; or

18 (17) If applying for renewal of an agent's certificate, has not held an
19 appointment with an insurer for more than 2 years from the date of renewal; or

20 (18) Has solicited, procured, or negotiated for an unauthorized insurer
21 insurance contracts, including contracts for nonprofit health service plans, dental plan
22 organizations, and health maintenance organizations; or

23 (19) Has knowingly employed or knowingly continued to employ an
24 individual acting in a fiduciary capacity who has been convicted of a felony or crime of
25 moral turpitude within the preceding 10 years.

26 (b) (1) Subject to the hearing provisions of §§ 35 through 39 of this article, the
27 Commissioner may deny, refuse to renew OR REINSTATE, suspend, or revoke the
28 certificate of qualification of a limited liability company, corporation, or partnership if an
29 individual [who has direct control over its fiscal management or an agent, broker,
30 director, officer, partner, member, manager, owner, or employee of a limited liability
31 company, a partnership, or a corporation] LISTED IN PARAGRAPH (2) OF THIS
32 SUBSECTION has:

33 [(1)] (I) Violated any provision of this subtitle;

34 [(2)] (II) Been convicted of a felony, a crime of moral turpitude, or any
35 criminal offense involving dishonesty or breach of trust; or

36 [(3)] (III) Had any professional license suspended or revoked for a
37 fraudulent or dishonest practice.

38 (2) THIS SUBSECTION SHALL APPLY IN ANY CASE INVOLVING A LIMITED
39 LIABILITY COMPANY, CORPORATION, ~~OR PARTNERSHIP~~, OR ANY OTHER BUSINESS
40 ENTITY IN WHICH THE VIOLATION WAS COMMITTED BY AN INDIVIDUAL WHO IS:

12

1 (I) AN AGENT OR BROKER;

2 (II) 1. IN THE CASE OF A LIMITED LIABILITY COMPANY, AN
3 OFFICER, DIRECTOR, MEMBER, OR MANAGER;

4 2. IN THE CASE OF A CORPORATION, A DIRECTOR, OFFICER,
5 OR OWNER; AND

6 3. IN THE CASE OF A PARTNERSHIP, A PARTNER; OR

7 (III) AN INDIVIDUAL WITH DIRECT CONTROL OVER THE FISCAL
8 MANAGEMENT OF THE LIMITED LIABILITY COMPANY, CORPORATION, ~~OR~~
9 PARTNERSHIP, OR ANY OTHER BUSINESS ENTITY.

10 176.

11 (e) [The Commissioner may require an examination to establish the competency
12 of an individual whose certificate has been terminated under § 170(c) of this subtitle.] In
13 cases where the [license] CERTIFICATE OF QUALIFICATION has been suspended [or
14 revoked] as provided in § 175 of this subtitle, the Commissioner may in his discretion
15 require the applicant to pass an examination and file a new application before
16 [reinstatement] THE SUSPENSION IS LIFTED.

17 SECTION 4. AND BE IT FURTHER ENACTED, That the Laws of Maryland
18 read as follows:

19 **Article 48A - Insurance Code**

20 181.

21 (e) (1) Every public adjuster [license] CERTIFICATE OF QUALIFICATION
22 shall expire [on the thirty-first day of December of every odd-numbered year] AT THE
23 END OF EVERY OTHER JUNE 30, but if an application for the renewal of any such
24 certificate shall have been filed with the Commissioner ON OR before [January first]
25 JUNE 30 of any year the [license] CERTIFICATE sought to be renewed shall continue in
26 full force and effect until the issuance by the Commissioner of the new [license]
27 CERTIFICATE or until five days after the Commissioner shall have refused in writing to
28 issue such new [license] CERTIFICATE and shall have served notice of such refusal on
29 the applicant therefor.

30 (2) To renew a public adjuster's [license, a licensee] CERTIFICATE OF
31 QUALIFICATION, THE CERTIFICATE HOLDER shall submit to the Commissioner:

32 (i) A renewal application in the form prescribed by the
33 Commissioner; and

34 (ii) The biennial [license] renewal fee prescribed by [§ 41(7)(iii)] §
35 41 of this article.

36 181.1.

37 (A) IF AN APPLICATION FOR RENEWAL OF A PUBLIC ADJUSTER'S
38 CERTIFICATE OF QUALIFICATION ~~HAS NOT BEEN RECEIVED BY THE COMMISSIONER~~
39 IS NOT POSTMARKED ON OR BEFORE JUNE 30 OF THE YEAR OF RENEWAL, IN

13

1 ACCORDANCE WITH § 181(E) OF THIS ARTICLE, THE CERTIFICATE OF
2 QUALIFICATION SHALL EXPIRE ~~AT THE END OF THE~~ AFTER THAT JUNE 30
3 ~~IMMEDIATELY PRECEDING THE RENEWAL DATE.~~

4 (B) ON OR BEFORE SEPTEMBER 30 OF THE RENEWAL YEAR, A PERSON WHOSE
5 PUBLIC ADJUSTER'S CERTIFICATE OF QUALIFICATION HAS EXPIRED MAY
6 REINSTATE THE EXPIRED CERTIFICATE BY:

7 (1) FILING WITH THE COMMISSIONER THE APPROPRIATE
8 REINSTATEMENT APPLICATION; AND

9 (2) PAYING TO THE COMMISSIONER THE APPLICABLE REINSTATEMENT
10 FEE REQUIRED UNDER SUBSECTION (C) OF THIS SECTION.

11 (C) THE FEE FOR A REINSTATEMENT UNDER THIS SECTION SHALL BE TWICE
12 THE AMOUNT CHARGED FOR A FULL RENEWAL PERIOD FOR THE TYPE OF
13 CERTIFICATE OF QUALIFICATION HELD BY THE PERSON SEEKING THE
14 REINSTATEMENT.

15 (D) A PERSON WHOSE PUBLIC ADJUSTER'S CERTIFICATE OF QUALIFICATION
16 HAS EXPIRED ~~MAY NOT ACT~~ IS PROHIBITED FROM ACTING AS A PUBLIC ADJUSTER
17 UNTIL THE EFFECTIVE DATE OF REINSTATEMENT OF THE CERTIFICATE OF
18 QUALIFICATION.

19 (E) A PERSON WHO DOES NOT COMPLY WITH SUBSECTION (B) OF THIS
20 SECTION ON OR BEFORE ~~THE END OF~~ SEPTEMBER 30 OF THE YEAR OF EXPIRATION
21 SHALL APPLY FOR A PUBLIC ADJUSTER'S CERTIFICATE OF QUALIFICATION UNDER §
22 181 OF THIS ARTICLE AND MEET ANY OTHER REQUIREMENTS SPECIFIED BY THE
23 COMMISSIONER IN REGULATION.

24 (F) THE COMMISSIONER MAY LIMIT THE REINSTATEMENT FEE TO THE
25 AMOUNT OF THE RENEWAL FEE IN CASES WHERE THE REINSTATEMENT APPLICANT
26 DID NOT MAKE TIMELY RENEWAL BECAUSE OF TEMPORARY INCAPACITY,
27 HOSPITALIZATION, OR OTHER HARDSHIP.

28 ~~(F)~~ (G) THE COMMISSIONER MAY ADOPT REGULATIONS TO CARRY OUT
29 THIS SECTION.

30 182.

31 (d) (2) [a] A license may be issued to:

32 (iii) 1. a nonresident of Maryland who is licensed as an insurance
33 adviser in their actual state of residence; OR

34 2. IF THE COMMISSIONER DETERMINES THAT THE
35 APPLICANT IS OTHERWISE QUALIFIED TO ACT AS AN INSURANCE ADVISER, A
36 NONRESIDENT OF MARYLAND WHOSE STATE OF RESIDENCE DOES NOT ISSUE:

37 A. AN INSURANCE ADVISER'S LICENSE; OR

38 B. THE EQUIVALENT OF AN INSURANCE ADVISER'S LICENSE.

14

1 (h) Every insurance adviser's [license] CERTIFICATE OF QUALIFICATION
 2 issued pursuant to this section shall be for a term expiring [on the thirty-first day of
 3 December of every odd-numbered year] AT THE END OF EVERY OTHER JUNE 30, and
 4 may be renewed for the ensuing years upon the filing of an application in conformity with
 5 subsection (e). If an application for a renewal [license] CERTIFICATE shall have been
 6 filed with the Commissioner ON OR before [January first] JUNE 30 of the [licensing]
 7 RENEWAL year, the [license] CERTIFICATE sought to be renewed shall continue in full
 8 force and effect either until the issuance of the renewal [license] CERTIFICATE or until
 9 five days after the Commissioner shall have refused to issue such renewal [license]
 10 CERTIFICATE and shall have given notice of such refusal to the applicant.

11 (i) No [license or renewal license] ~~NO~~ CERTIFICATE, RENEWAL CERTIFICATE,
 12 OR REINSTATED CERTIFICATE shall be issued to any applicant unless there shall be on
 13 file with the Commissioner a bond, approved by him as to form and sufficiency of security,
 14 executed by the applicant and by an authorized surety insurer, in the penal sum of one
 15 thousand dollars, conditioned upon the faithful performance by the [licensee]
 16 CERTIFICATE HOLDER named in the [license] CERTIFICATE of his duties as insurance
 17 adviser. The bond shall be made to the State of Maryland, and shall specifically authorize
 18 recovery by the State of the penal sum provided therein in case the insurance adviser shall
 19 have been guilty of fraudulent or dishonest practices in connection with the transaction of
 20 his or its business as an insurance adviser.

21 182.1.

22 (A) IF AN APPLICATION FOR RENEWAL OF AN INSURANCE ADVISER'S
 23 CERTIFICATE OF QUALIFICATION ~~HAS NOT BEEN RECEIVED BY THE COMMISSIONER~~
 24 IS NOT POSTMARKED ON OR BEFORE JUNE 30 OF THE YEAR OF RENEWAL, IN
 25 ACCORDANCE WITH § 182(H) OF THIS ARTICLE, THE CERTIFICATE OF
 26 QUALIFICATION SHALL EXPIRE ~~AT THE END OF THE~~ AFTER THAT JUNE 30
 27 ~~IMMEDIATELY PRECEDING THE RENEWAL DATE.~~

28 (B) ON OR BEFORE SEPTEMBER 30 OF THE RENEWAL YEAR, A PERSON WHOSE
 29 INSURANCE ADVISER'S CERTIFICATE OF QUALIFICATION HAS EXPIRED MAY
 30 REINSTATE THE EXPIRED CERTIFICATE BY:

31 (1) FILING WITH THE COMMISSIONER THE APPROPRIATE
 32 REINSTATEMENT APPLICATION; AND

33 (2) PAYING TO THE COMMISSIONER THE APPLICABLE REINSTATEMENT
 34 FEE REQUIRED UNDER SUBSECTION (C) OF THIS SECTION.

35 (C) THE FEE FOR A REINSTATEMENT UNDER THIS SECTION SHALL BE TWICE
 36 THE AMOUNT CHARGED FOR A FULL RENEWAL PERIOD FOR THE TYPE OF
 37 CERTIFICATE OF QUALIFICATION HELD BY THE PERSON SEEKING THE
 38 REINSTATEMENT.

39 (D) A PERSON WHOSE INSURANCE ADVISER'S CERTIFICATE OF
 40 QUALIFICATION HAS EXPIRED ~~MAY NOT ACT~~ IS PROHIBITED FROM ACTING AS AN
 41 INSURANCE ADVISER UNTIL THE EFFECTIVE DATE OF REINSTATEMENT OF THE
 42 CERTIFICATE OF QUALIFICATION.

15

1 (E) A PERSON WHO DOES NOT COMPLY WITH SUBSECTION (B) OF THIS
 2 SECTION ON OR BEFORE ~~THE END OF~~ SEPTEMBER 30 OF THE YEAR OF EXPIRATION
 3 SHALL APPLY FOR AN INSURANCE ADVISER'S CERTIFICATE OF QUALIFICATION
 4 UNDER § 182 OF THIS ARTICLE AND MEET ANY OTHER REQUIREMENTS SPECIFIED
 5 BY THE COMMISSIONER IN REGULATION.

6 (F) THE COMMISSIONER MAY LIMIT THE REINSTATEMENT FEE TO THE
 7 AMOUNT OF THE RENEWAL FEE IN CASES WHERE THE REINSTATEMENT APPLICANT
 8 DID NOT MAKE TIMELY RENEWAL BECAUSE OF TEMPORARY INCAPACITY,
 9 HOSPITALIZATION, OR OTHER HARDSHIP.

10 ~~(F)~~ (G) THE COMMISSIONER MAY ADOPT REGULATIONS TO CARRY OUT
 11 THIS SECTION.

12 188.

13 Any person who is qualified to be a broker as to property[, casualty and surety
 14 insurances] AND CASUALTY INSURANCE, and who is deemed by the Commissioner to
 15 be competent and trustworthy, may be qualified as a surplus line broker as follows:

16 (1) Application to the Commissioner for the certificate of qualification shall
 17 be on forms furnished by the Commissioner.

18 (2) The fee shall be as prescribed by § 41 of this article.

19 (3) Each certificate of qualification shall be issued for a term expiring [on]
 20 AT THE END OF EVERY OTHER June 30 [of the next odd-numbered year] following the
 21 date of issuance and may be renewed biennially thereafter.

22 (4) Before the issuance of the certificate of qualification or any renewal OR
 23 REINSTATEMENT thereof, the applicant shall file with the Commissioner, a bond, to be
 24 approved by the Commissioner and made payable to the State of Maryland, executed by
 25 such applicant as principal and by a corporate surety authorized to do business in this
 26 State, in the penal sum of \$10,000, conditioned that the broker will conduct the business
 27 in accordance with the provisions of this article and that he will remit promptly the taxes
 28 provided for in § 194. The aggregate liability of the surety for any and all claims on any
 29 such bond shall in no event exceed the penal sum thereof. No such bond shall be
 30 terminated unless prior to such termination 30 days' written notice is filed with the
 31 Commissioner.

32 188.1.

33 (A) IF AN APPLICATION FOR RENEWAL OF A SURPLUS LINES BROKER'S
 34 CERTIFICATE OF QUALIFICATION ~~HAS NOT BEEN RECEIVED BY THE COMMISSIONER~~
 35 IS NOT POSTMARKED ON OR BEFORE JUNE 30 OF THE YEAR OF RENEWAL, IN
 36 ACCORDANCE WITH § 188 OF THIS ARTICLE, THE CERTIFICATE OF QUALIFICATION
 37 SHALL EXPIRE ~~AT THE END OF THE~~ AFTER THAT JUNE 30 ~~IMMEDIATELY PRECEDING~~
 38 ~~THE RENEWAL DATE.~~

39 (B) ON OR BEFORE SEPTEMBER 30 OF THE RENEWAL YEAR, A PERSON WHOSE
 40 SURPLUS LINES BROKER'S CERTIFICATE OF QUALIFICATION HAS EXPIRED MAY
 41 REINSTATE THE EXPIRED CERTIFICATE BY:

16

1 (1) FILING WITH THE COMMISSIONER THE APPROPRIATE
2 REINSTATEMENT APPLICATION;

3 (2) PAYING TO THE COMMISSIONER THE APPLICABLE REINSTATEMENT
4 FEE REQUIRED UNDER SUBSECTION (C) OF THIS SECTION; AND

5 (3) COMPLYING WITH THE BOND REQUIREMENT OF § 188 OF THIS
6 ARTICLE.

7 (C) THE FEE FOR A REINSTATEMENT UNDER THIS SECTION SHALL BE TWICE
8 THE AMOUNT CHARGED FOR A FULL RENEWAL PERIOD FOR THE TYPE OF
9 CERTIFICATE OF QUALIFICATION HELD BY THE PERSON SEEKING THE
10 REINSTATEMENT.

11 (D) A PERSON WHOSE SURPLUS LINES BROKER'S CERTIFICATE OF
12 QUALIFICATION HAS EXPIRED ~~MAY NOT ACT~~ IS PROHIBITED FROM ACTING AS A
13 SURPLUS LINES BROKER UNTIL THE EFFECTIVE DATE OF REINSTATEMENT OF THE
14 CERTIFICATE OF QUALIFICATION.

15 (E) A PERSON WHO DOES NOT COMPLY WITH SUBSECTION (B) OF THIS
16 SECTION ON OR BEFORE ~~THE END OF~~ SEPTEMBER 30 OF THE YEAR OF EXPIRATION
17 SHALL APPLY FOR A SURPLUS LINES BROKER'S CERTIFICATE OF QUALIFICATION
18 UNDER § 188 OF THIS ARTICLE AND MEET ANY OTHER REQUIREMENTS SPECIFIED
19 BY THE COMMISSIONER IN REGULATION.

20 (F) THE COMMISSIONER MAY LIMIT THE REINSTATEMENT FEE TO THE
21 AMOUNT OF THE RENEWAL FEE IN CASES WHERE THE REINSTATEMENT APPLICANT
22 DID NOT MAKE TIMELY RENEWAL BECAUSE OF TEMPORARY INCAPACITY,
23 HOSPITALIZATION, OR OTHER HARDSHIP.

24 ~~(F)~~ (G) THE COMMISSIONER MAY ADOPT REGULATIONS TO CARRY OUT
25 THIS SECTION.

26 685.

27 (a) An applicant for registration shall:

28 (1) Submit to the Commissioner an application on the form that the
29 Commissioner requires; and

30 (2) Pay to the Commissioner an application fee of \$250.

31 (b) (1) Unless a registration is renewed [for a 1-year term] as provided in this
32 subsection, the registration expires [on the May 1 that comes after the effective date of
33 the registration] AT THE END OF EVERY OTHER JUNE 30.

34 (2) Before a registration expires, the registered administrator may renew it
35 for an additional [1-year] 2-YEAR term, if the administrator:

36 (i) Is otherwise entitled to be registered; and

37 (ii) Pays to the Commissioner a renewal fee of [\$25] \$50.

17

1 (C) AN APPLICATION FOR RENEWAL OF A REGISTRATION SHALL BE
2 CONSIDERED MADE IN A TIMELY MANNER IF IT IS POSTMARKED ON OR BEFORE
3 JUNE 30 OF THE YEAR OF RENEWAL.

4 685.1.

5 (A) ON OR BEFORE SEPTEMBER 30 OF THE RENEWAL YEAR, A PERSON WHOSE
6 THIRD PARTY ADMINISTRATOR'S REGISTRATION HAS EXPIRED MAY REINSTATE
7 THE EXPIRED REGISTRATION BY:

8 (1) FILING WITH THE COMMISSIONER THE APPROPRIATE
9 REINSTATEMENT APPLICATION;

10 (2) PAYING TO THE COMMISSIONER THE APPLICABLE REINSTATEMENT
11 FEE REQUIRED UNDER SUBSECTION ~~(C)~~ (B) OF THIS SECTION; AND

12 (3) COMPLYING WITH THE BOND REQUIREMENTS OF § 684 OF THIS
13 SUBTITLE.

14 (B) THE FEE FOR A REINSTATEMENT UNDER THIS SECTION SHALL BE TWICE
15 THE AMOUNT CHARGED FOR A FULL RENEWAL PERIOD FOR THE REGISTRATION
16 HELD BY THE PERSON SEEKING THE REINSTATEMENT.

17 (C) A PERSON WHOSE THIRD PARTY ADMINISTRATOR'S REGISTRATION HAS
18 EXPIRED ~~MAY NOT ACT~~ IS PROHIBITED FROM ACTING AS A THIRD PARTY
19 ADMINISTRATOR UNTIL THE EFFECTIVE DATE OF REINSTATEMENT OF THE
20 REGISTRATION.

21 (D) A PERSON WHO DOES NOT COMPLY WITH SUBSECTION (A) OF THIS
22 SECTION ON OR BEFORE ~~THE END OF~~ SEPTEMBER 30 OF THE YEAR OF EXPIRATION
23 SHALL APPLY FOR A THIRD PARTY ADMINISTRATOR'S REGISTRATION UNDER § 685
24 OF THIS ARTICLE AND MEET ANY OTHER REQUIREMENTS SPECIFIED BY THE
25 COMMISSIONER IN REGULATION.

26 (E) THE COMMISSIONER MAY LIMIT THE REINSTATEMENT FEE TO THE
27 AMOUNT OF THE RENEWAL FEE IN CASES WHERE THE REINSTATEMENT APPLICANT
28 DID NOT MAKE TIMELY RENEWAL BECAUSE OF TEMPORARY INCAPACITY,
29 HOSPITALIZATION, OR OTHER HARDSHIP.

30 ~~(E)~~ (F) THE COMMISSIONER MAY ADOPT REGULATIONS TO CARRY OUT
31 THIS SECTION.

32 SECTION 5. AND BE IT FURTHER ENACTED, That the Laws of Maryland
33 read as follows:

34 **Article - Insurance**

35 3-311.

36 An applicant for a certificate of qualification must be:

37 (1) qualified as a broker for property insurance[, casualty insurance, and
38 surety insurance] AND CASUALTY INSURANCE; and

18

1 (2) competent and trustworthy, as determined by the Commissioner.

2 10-104.

3 (a) To qualify for a certificate of qualification as an agent or broker for insurance
4 other than life insurance, health insurance, OR annuities, or [limited lines] A
5 RESTRICTED CERTIFICATE as provided in §§ 10-122, 10-123, 10-124, and 10-125 of this
6 subtitle, an individual applicant must meet the requirements of this section.

7 (e) The Commissioner may waive the requirements of subsections (c) and (d) of
8 this section for an applicant for a certificate of qualification for property insurance[,
9 casualty insurance, surety insurance, or marine insurance] OR CASUALTY INSURANCE if
10 the applicant:

11 (1) (i) has been conferred the Chartered Property Casualty Underwriter
12 (C.P.C.U.) designation by The American Institute [of] FOR CHARTERED Property
13 [and Liability] CASUALTY Underwriters[, Inc.]; and

14 (ii) is a member in good standing of the Society of Chartered Property
15 and Casualty Underwriters;

16 (2) has been conferred the designation of Fellow of the Casualty Actuarial
17 Society; or

18 (3) has been conferred the designation of Certified Insurance Counselor
19 (CIC) by the Society of Certified Insurance Counselors.

20 10-107.

21 (a) An INDIVIDUAL applicant may not be required to take an examination that
22 relates to any kind of insurance other than as requested by the applicant.

23 (b) If [the] AN INDIVIDUAL applicant requests, the examination shall be
24 administered to allow the applicant to be tested in more than one kind of insurance in
25 one day.

26 (c) An INDIVIDUAL applicant for an examination specified in this subtitle or
27 Title 10, Subtitle 2 or Subtitle 4 of this article shall pay the fee required under this article
28 in the manner specified by the Commissioner.

29 10-108.

30 (a) An INDIVIDUAL applicant who otherwise qualifies for a certificate of
31 qualification for insurance other than life insurance, health insurance, OR annuities[, or
32 limited lines] is entitled to be examined as provided in this section.

33 (b) To determine the competence of [the] AN INDIVIDUAL applicant as to the
34 kind or subdivision of insurance for which the applicant wants to become qualified, the
35 applicant shall pass a written examination that relates to that kind or subdivision of
36 insurance.

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

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

19

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

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

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

6 (1) (I) demonstrate to the Commissioner that the applicant has
7 completed the educational requirements set out by the Commissioner; OR

8 (II) SUBMIT TO THE COMMISSIONER AT THE TIME OF THE
9 EXAMINATION AN AFFIDAVIT FROM THE EMPLOYER OF THE APPLICANT STATING
10 FACTS THAT SHOW COMPLIANCE WITH THE APPLICABLE REQUIREMENTS OF §
11 10-104(C)(2) OR (3) OF THIS SUBTITLE, IF THE APPLICANT QUALIFIES BY MEETING
12 THE EXPERIENCE REQUIREMENTS OF § 10-104(C)(2) OR (3) OF THIS SUBTITLE; and

13 (2) pay the application fee required under § 2-112(a)(4)(iii) of this article.

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

16 (F) AN INDIVIDUAL APPLICANT WHO FAILS AN EXAMINATION MAY NOT
17 TAKE ANOTHER EXAMINATION UNTIL AT LEAST 14 DAYS AFTER THE DATE OF THE
18 LAST EXAMINATION THAT THE APPLICANT FAILED.

19 10-109.

20 (a) An INDIVIDUAL applicant who otherwise qualifies for a certificate of
21 qualification for life insurance, health insurance, annuities, nonprofit health service
22 plans, dental plan organizations, or health maintenance organizations is entitled to be
23 examined as provided in this section.

24 (b) (1) Each INDIVIDUAL applicant must pass a personal written examination
25 to determine:

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

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

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

34 (c) An INDIVIDUAL applicant who fails an examination may not take another
35 examination until at least 14 days after the date of the last examination that the applicant
36 failed.

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

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

20

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

3 (3) subject to § 10-105(c) of this article, the educational requirements for an
4 INDIVIDUAL applicant to be eligible to take a written examination.

5 10-111.

6 (a) [An individual] A PERSON who has a valid certificate of qualification as a
7 broker for the kind or subdivision of insurance for which the [individual] PERSON
8 intends to act as an agent may obtain a certificate of qualification to act as an agent for
9 that kind or subdivision of insurance if the [individual] PERSON pays to the
10 Commissioner the applicable fee for an initial agent certificate of qualification as
11 required by § 2-112 of this article.

12 (b) [An individual] A PERSON who has a valid certificate of qualification as an
13 agent for the kind or subdivision of insurance for which the [individual] PERSON intends
14 to act as a broker may obtain a certificate of qualification to act as a broker for that kind
15 or subdivision of insurance if the [individual] PERSON:

16 (1) pays to the Commissioner the applicable fee for an initial broker
17 certificate of qualification as required by § 2-112 of this article; and

18 (2) files with the Commissioner a bond as provided in § 10-112 of this
19 subtitle.

20 10-112.

21 (a) [An applicant] A PERSON WHO APPLIES for a certificate of qualification as
22 an agent or broker shall:

23 (1) file [with the Commissioner] the appropriate application on the form
24 AND IN THE MANNER that the Commissioner provides;

25 (2) pay [to the Commissioner] the applicable fee required by § 2-112 of
26 this article for an agent certificate of qualification or a broker certificate of qualification;

27 (3) [(i)] file [with the Commissioner] on the form AND IN THE MANNER
28 that the Commissioner provides:

29 [1.] (I) any agency or trade name to be used by the applicant;

30 [2.] (II) the business address of the applicant; and

31 [3.] (III) the name and residence address of each individual who
32 holds a certificate of qualification and does business under the agency or trade name; and

33 [(ii) pay to the Commissioner the fee required by § 2-112 of this article
34 for filing a trade name;]

35 (4) [submit to the Commissioner an affidavit from the employer of the
36 applicant stating facts that show compliance with the applicable requirements of §
37 10-104(c)(2) or (3) of this subtitle, if the applicant qualifies by meeting the experience
38 requirements of § 10-104(c)(2) or (3) of this subtitle; and

21

1 (5)] submit to the Commissioner any additional information or
2 documentation that the Commissioner requires, including any information or
3 documentation to determine the professional competence, good character, and
4 trustworthiness of the applicant.

5 10-125.

6 (d) Notwithstanding any other provision of this subtitle:

7 (1) the bonding requirements of this subtitle relating to title insurance
8 agents and title insurance brokers do not apply to law firms and individual attorneys
9 practicing law in law firms;

10 (2) the limited liability company, corporate, and partnership requirements
11 of this subtitle relating to title insurance agents and title insurance brokers do not apply
12 to law firms; and

13 (3) the education, experience, and examination requirements of this subtitle
14 relating to title insurance agents and title insurance brokers do not apply to individual
15 attorneys [or law firms].

16 SECTION 6. AND BE IT FURTHER ENACTED, That the Laws of Maryland
17 read as follows:

18 **Article - Insurance**

19 3-316.

20 (a) Unless a certificate of qualification is renewed for a 2-year term as provided
21 in this section, the certificate of qualification expires on the first June 30 that comes after
22 its effective date [and in an odd-numbered year].

23 (b) At least 1 month before a certificate of qualification expires, the
24 Commissioner shall mail to the holder of the certificate of qualification, at the last known
25 address of the holder:

26 (1) a renewal application form; and

27 (2) a notice that states:

28 (i) the date by which the Commissioner must receive the renewal
29 application for the renewal to be issued and mailed before the certificate of qualification
30 expires; and

31 (ii) the amount of the renewal fee.

32 (c) Before a certificate of qualification expires, the holder periodically may renew
33 it for an additional 2-year term, if the holder:

34 (1) otherwise is entitled to a certificate of qualification;

35 (2) submits to the Commissioner a renewal application on the form that the
36 Commissioner provides;

22

1 (3) pays to the Commissioner the renewal fee required by § 2-112 of this
2 article; and

3 (4) complies with the bond requirement of § 3-313 of this subtitle.

4 (D) AN APPLICATION FOR RENEWAL OF A CERTIFICATE OF QUALIFICATION
5 SHALL BE CONSIDERED MADE IN A TIMELY MANNER IF IT IS POSTMARKED ON OR
6 BEFORE JUNE 30 OF THE YEAR OF RENEWAL.

7 ~~(D)~~ (E) The Commissioner shall renew the certificate of qualification of each
8 holder who meets the requirements of this section.

9 3-316.1.

10 (A) ON OR BEFORE SEPTEMBER 30 OF THE RENEWAL YEAR, A PERSON WHOSE
11 SURPLUS LINES BROKER'S CERTIFICATE OF QUALIFICATION HAS EXPIRED MAY
12 REINSTATE THE EXPIRED CERTIFICATE OF QUALIFICATION BY:

13 (1) FILING WITH THE COMMISSIONER THE APPROPRIATE
14 REINSTATEMENT APPLICATION;

15 (2) PAYING TO THE COMMISSIONER THE APPLICABLE REINSTATEMENT
16 FEE REQUIRED UNDER SUBSECTION (B) OF THIS SECTION; AND

17 (3) COMPLYING WITH THE BOND REQUIREMENT OF § 3-313 OF THIS
18 SUBTITLE.

19 (B) (1) THE FEE FOR A REINSTATEMENT UNDER THIS SECTION SHALL BE
20 TWICE;

21 (I) THE AMOUNT CHARGED FOR A FULL RENEWAL PERIOD FOR
22 THE TYPE OF CERTIFICATE OF QUALIFICATION HELD BY THE PERSON SEEKING THE
23 REINSTATEMENT; AND

24 (II) 1. \$25 FOR REINSTATEMENT DURING THE PERIOD FROM
25 JULY 1 THROUGH JULY 31;

26 2. \$50 FOR REINSTATEMENT DURING THE PERIOD FROM
27 AUGUST 1 THROUGH AUGUST 31; AND

28 3. \$75 FOR REINSTATEMENT DURING THE PERIOD FROM
29 SEPTEMBER 1 THROUGH SEPTEMBER 30.

30 (2) THE COMMISSIONER MAY LIMIT THE REINSTATEMENT FEE TO THE
31 AMOUNT OF THE RENEWAL FEE IN CASES WHERE THE REINSTATEMENT APPLICANT
32 DID NOT MAKE TIMELY RENEWAL BECAUSE OF TEMPORARY INCAPACITY,
33 HOSPITALIZATION, OR OTHER HARDSHIP.

34 (C) A PERSON WHOSE SURPLUS LINES BROKER'S CERTIFICATE OF
35 QUALIFICATION HAS EXPIRED ~~MAY NOT ACT~~ IS PROHIBITED FROM ACTING AS A
36 SURPLUS LINES BROKER UNTIL THE EFFECTIVE DATE OF REINSTATEMENT OF THE
37 CERTIFICATE OF QUALIFICATION.

23

1 (D) A PERSON WHO DOES NOT COMPLY WITH SUBSECTION (A) OF THIS
 2 SECTION ON OR BEFORE ~~THE END OF~~ SEPTEMBER 30 OF THE YEAR OF EXPIRATION
 3 SHALL APPLY FOR A SURPLUS LINES BROKER'S CERTIFICATE OF QUALIFICATION
 4 UNDER § 3-312 OF THIS SUBTITLE AND MEET ANY OTHER REQUIREMENTS SPECIFIED
 5 BY THE COMMISSIONER IN REGULATION.

6 (E) THE COMMISSIONER MAY ADOPT REGULATIONS TO CARRY OUT THIS
 7 SECTION.

8 8-308.

9 (a) A registration expires [on the first May 1 after its effective date] AT THE
 10 END OF EVERY OTHER JUNE 30 unless it is renewed as provided in this section.

11 (b) Before a registration expires, the registrant may renew it for an additional
 12 [1-year] 2-YEAR term, if the registrant:

13 (1) otherwise is entitled to be registered;

14 (2) files with the Commissioner a renewal application on the form that the
 15 Commissioner requires;

16 (3) pays to the Commissioner a renewal fee of [~~\$25~~] \$50; and

17 (4) except as provided in § 8-306(d) of this subtitle, file with the
 18 Commissioner evidence of a bond in compliance with § 8-306 of this subtitle.

19 (C) AN APPLICATION FOR RENEWAL OF A REGISTRATION SHALL BE
 20 CONSIDERED MADE IN A TIMELY MANNER IF IT IS POSTMARKED ON OR BEFORE
 21 JUNE 30 OF THE YEAR OF RENEWAL.

22 ~~(D)~~ (D) The Commissioner shall renew the registration of each registrant that
 23 meets the requirements of this section.

24 8-308.1.

25 (A) ON OR BEFORE SEPTEMBER 30 OF THE RENEWAL YEAR, A PERSON WHOSE
 26 THIRD PARTY ADMINISTRATOR'S REGISTRATION HAS EXPIRED MAY REINSTATE
 27 THE EXPIRED REGISTRATION BY:

28 (1) FILING WITH THE COMMISSIONER THE APPROPRIATE
 29 REINSTATEMENT APPLICATION;

30 (2) PAYING TO THE COMMISSIONER THE APPLICABLE REINSTATEMENT
 31 FEE REQUIRED UNDER SUBSECTION (B) OF THIS SECTION; AND

32 (3) COMPLYING WITH THE BOND REQUIREMENT OF § 8-306 OF THIS
 33 SUBTITLE.

34 (B) (1) THE FEE FOR A REINSTATEMENT UNDER THIS SECTION SHALL BE
 35 ~~TWICE~~;

36 (1) THE AMOUNT CHARGED FOR A FULL RENEWAL PERIOD FOR
 37 THE TYPE OF REGISTRATION HELD BY THE PERSON SEEKING THE REINSTATEMENT;
 38 AND

24

1 (II) 1. \$25 FOR REINSTATEMENT DURING THE PERIOD FROM
2 JULY 1 THROUGH JULY 31;

3 2. \$50 FOR REINSTATEMENT DURING THE PERIOD FROM
4 AUGUST 1 THROUGH AUGUST 31; AND

5 3. \$75 FOR REINSTATEMENT DURING THE PERIOD FROM
6 SEPTEMBER 1 THROUGH SEPTEMBER 30.

7 (2) THE COMMISSIONER MAY LIMIT THE REINSTATEMENT FEE TO THE
8 AMOUNT OF THE RENEWAL FEE IN CASES WHERE THE REINSTATEMENT APPLICANT
9 DID NOT MAKE TIMELY RENEWAL BECAUSE OF TEMPORARY INCAPACITY,
10 HOSPITALIZATION, OR OTHER HARDSHIP.

11 (C) A PERSON WHOSE THIRD PARTY ADMINISTRATOR'S REGISTRATION HAS
12 EXPIRED ~~MAY NOT ACT~~ IS PROHIBITED FROM ACTING AS A THIRD PARTY
13 ADMINISTRATOR UNTIL THE EFFECTIVE DATE OF REINSTATEMENT OF THE
14 REGISTRATION.

15 (D) A PERSON WHO DOES NOT COMPLY WITH SUBSECTION (A) OF THIS
16 SECTION ON OR BEFORE ~~THE END OF~~ SEPTEMBER 30 OF THE YEAR OF EXPIRATION
17 SHALL APPLY FOR A THIRD PARTY ADMINISTRATOR'S REGISTRATION UNDER § 8-305
18 OF THIS SUBTITLE AND MEET ANY OTHER REQUIREMENTS SPECIFIED BY THE
19 COMMISSIONER IN REGULATION.

20 (E) THE COMMISSIONER MAY ADOPT REGULATIONS TO CARRY OUT THIS
21 SECTION.

22 [10-110.

23 (a) (1) The Commissioner shall appoint an advisory board for insurance other
24 than life insurance and health insurance to advise the Commissioner about the education,
25 qualifications, and examinations of agents and brokers as to kinds of insurance other than
26 life insurance and health insurance.

27 (2) The advisory board consists of seven members appointed by the
28 Commissioner.

29 (3) Of the seven members of the advisory board:

30 (i) one shall be a representative of the State Department of
31 Education;

32 (ii) three shall be representatives of insurers, including, with full
33 regard for representation of insurers that write specialized kinds of insurance:

34 1. at least one representative of a stock insurer; and

35 2. at least one representative of a mutual insurer; and

36 (iii) three shall be agents or brokers, including:

37 1. at least one agent from a stock insurer; and

38 2. at least one agent from a mutual insurer.

25

1 (4) The term of an industry member of the advisory board is 3 years.

2 (b) (1) The Commissioner shall appoint an advisory board for life insurance and
3 health insurance to advise the Commissioner about the education, qualifications, and
4 examinations of agents and brokers as to life insurance and health insurance.

5 (2) The advisory board consists of eight members appointed by the
6 Commissioner.

7 (3) The advisory board may include agents, brokers, and employees or
8 officers of insurers.

9 (4) Each member of the advisory board shall be experienced in the business
10 of life insurance or health insurance.

11 (5) (i) The term of a member of the advisory board is 4 years.

12 (ii) A member who is appointed after a term has begun serves only for
13 the rest of the term.

14 (iii) A member is eligible for reappointment.

15 (c) A member of an advisory board under this section:

16 (1) may not receive compensation; but

17 (2) if authorized by the Commissioner, is entitled to reimbursement for
18 expenses under the Standard State Travel Regulations, as provided in the State budget.]

19 10-110.

20 (A) THE COMMISSIONER SHALL APPOINT AN ADVISORY BOARD FOR LIFE
21 AND HEALTH INSURANCE AND AN ADVISORY BOARD FOR PROPERTY AND
22 CASUALTY INSURANCE TO ASSIST THE COMMISSIONER IN REVIEWING CONTINUING
23 EDUCATION COURSES, EXAMINATIONS, AND OTHER MATTERS RELATING TO THE
24 EDUCATION AND QUALIFICATION OF AGENTS AND BROKERS.

25 (B) (1) THE LIFE AND HEALTH INSURANCE ADVISORY BOARD CONSISTS OF
26 AT LEAST EIGHT MEMBERS APPOINTED BY THE COMMISSIONER.

27 (2) EACH MEMBER OF THE ADVISORY BOARD SHALL BE EXPERIENCED
28 IN THE BUSINESS OF LIFE INSURANCE OR HEALTH INSURANCE.

29 (3) THE ADVISORY BOARD:

30 (I) MAY INCLUDE AGENTS, BROKERS, AND EMPLOYEES OR
31 OFFICERS OF INSURERS; AND

32 (II) SHALL INCLUDE AT LEAST TWO MEMBERS WHO ARE AGENTS
33 OR BROKERS WITH VALID CERTIFICATES OF QUALIFICATION ISSUED IN THE STATE
34 IN THAT KIND OF INSURANCE.

35 (C) (1) THE PROPERTY AND CASUALTY INSURANCE ADVISORY BOARD
36 CONSISTS OF AT LEAST EIGHT MEMBERS APPOINTED BY THE COMMISSIONER.

26

1 (2) EACH MEMBER OF THE ADVISORY BOARD SHALL BE EXPERIENCED
2 IN THE BUSINESS OF PROPERTY INSURANCE OR CASUALTY INSURANCE.

3 (3) THE ADVISORY BOARD:

4 (I) MAY INCLUDE AGENTS, BROKERS, AND EMPLOYEES OR
5 OFFICERS OF INSURERS; AND

6 (II) SHALL INCLUDE AT LEAST TWO MEMBERS WHO ARE AGENTS
7 OR BROKERS WITH VALID CERTIFICATES OF QUALIFICATION ISSUED IN THE STATE
8 IN THAT KIND OF INSURANCE.

9 (D) (1) THE TERM OF A MEMBER OF AN ADVISORY BOARD UNDER THIS
10 SECTION IS 4 YEARS.

11 (2) A MEMBER WHO IS APPOINTED AFTER A TERM HAS BEGUN SERVES
12 ONLY FOR THE REST OF THE TERM.

13 (3) A MEMBER IS ELIGIBLE FOR REAPPOINTMENT.

14 (4) THE COMMISSIONER MAY STAGGER THE TERMS OF MEMBERS OF
15 EACH ADVISORY BOARD UNDER THIS SECTION.

16 (E) A MEMBER OF AN ADVISORY BOARD UNDER THIS SECTION:

17 (1) MAY NOT RECEIVE COMPENSATION; BUT

18 (2) IF AUTHORIZED BY THE COMMISSIONER, IS ENTITLED TO
19 REIMBURSEMENT FOR EXPENSES UNDER THE STANDARD STATE TRAVEL
20 REGULATIONS, AS PROVIDED IN THE STATE BUDGET.

21 (F) THE COMMISSIONER MAY ADOPT REGULATIONS TO CARRY OUT THIS
22 SECTION.

23 10-115.

24 (a) (1) Certificates of qualification expire[every other year] AT THE END OF
25 EVERY OTHER JUNE 30 unless renewed as provided in this section.

26 (2) IF A CERTIFICATE OF QUALIFICATION EXPIRES UNDER PARAGRAPH
27 (1) OF THIS SUBSECTION, THE APPOINTMENTS HELD BY THE AGENT SHALL BE
28 TERMINATED AS OF THE DAY OF THE EXPIRATION OF THE CERTIFICATE OF
29 QUALIFICATION.

30 (b) At least 1 month before a certificate of qualification expires, the
31 Commissioner shall mail to the holder of the certificate of qualification, at the last known
32 address of the holder:

33 (1) a renewal application form; and

34 (2) a notice that states:

35 (i) the date by which the Commissioner must receive the renewal
36 application for the renewal to be issued and mailed before the certificate of qualification
37 expires; and

27

1 (ii) the amount of the renewal fee.

2 (c) Before a certificate of qualification expires, the holder of the certificate of
3 qualification may renew it for an additional 2-year term, if the holder:

4 (1) otherwise is entitled to a certificate of qualification;

5 (2) files with the Commissioner a renewal application on the form that the
6 Commissioner provides; [and]

7 (3) COMPLETES THE CONTINUING EDUCATION REQUIREMENTS
8 ESTABLISHED UNDER § 10-116 OF THIS SUBTITLE BY JUNE 15 IMMEDIATELY PRIOR
9 TO THE EXPIRATION OF THE CERTIFICATE OF QUALIFICATION; AND

10 [(3)] (4) pays to the Commissioner the renewal fee required by § 2-112 of
11 this article.

12 (D) AN APPLICATION FOR RENEWAL OF A CERTIFICATE OF QUALIFICATION
13 SHALL BE CONSIDERED MADE IN A TIMELY MANNER IF IT IS POSTMARKED ON OR
14 BEFORE JUNE 30 OF THE YEAR OF RENEWAL.

15 ~~(d)~~ (E) (1) [Subject to subsection (e)(1) of this section, the] THE
16 Commissioner shall renew the certificate of qualification of each holder who meets the
17 requirements of this section.

18 (2) If the holder of a certificate of qualification COMPLETES THE
19 CONTINUING EDUCATION REQUIREMENTS ESTABLISHED UNDER § 10-116 OF THIS
20 SUBTITLE AND pays the applicable renewal fee before the certificate of qualification
21 expires, the certificate of qualification remains in effect until the Commissioner renews
22 [or refuses to renew for cause] the certificate of qualification.

23 [(e) (1) The Commissioner may not renew the certificate of qualification of an
24 agent if, for 2 years before the date of renewal, the agent has not had any appointments
25 from insurers doing business in the State.

26 (2) If the certificate of qualification of an agent is not renewed under
27 paragraph (1) of this subsection, the Commissioner may require the individual to pass an
28 examination to determine the competency of the individual.]

29 [(f)] ~~(E)~~ (F) The Commissioner may adopt regulations to:

30 (1) CARRY OUT THIS SECTION; AND

31 (2) [carry] ~~CARRY OUT~~ DEVELOP a staggered system of renewals for
32 certificates of qualification of agents and brokers.

33 [10-116.

34 As part of the continuing education requirements under this subtitle, the
35 Commissioner shall require agents and brokers that sell or issue long-term care insurance
36 to receive continuing education that directly relates to long-term care insurance before
37 the agent or broker may offer long-term care insurance for sale.]

28

1 10-116.

2 (A) (1) SUBJECT TO SUBSECTION (B) OF THIS SECTION, THE COMMISSIONER
3 SHALL REQUIRE AN AGENT OR BROKER TO RECEIVE CONTINUING EDUCATION AS A
4 CONDITION OF RENEWING THE CERTIFICATE OF QUALIFICATION OF THE AGENT OR
5 BROKER.

6 (2) THE COMMISSIONER MAY NOT REQUIRE AN INDIVIDUAL WHO
7 HOLDS AN AGENT'S CERTIFICATE OF QUALIFICATION, A BROKER'S CERTIFICATE OF
8 QUALIFICATION, OR BOTH TO RECEIVE MORE THAN:

9 (I) 16 HOURS OF CONTINUING EDUCATION PER RENEWAL PERIOD,
10 IF THE AGENT OR BROKER HAS HELD A CERTIFICATE OF QUALIFICATION FOR LESS
11 THAN 25 CONSECUTIVE YEARS; AND

12 (II) 8 HOURS OF CONTINUING EDUCATION PER RENEWAL PERIOD,
13 IF THE AGENT OR BROKER HAS HELD A CERTIFICATE OF QUALIFICATION FOR 25 OR
14 MORE CONSECUTIVE YEARS.

15 (3) SUBJECT TO PARAGRAPH (4) OF THIS SUBSECTION, AN AGENT OR
16 BROKER MAY SATISFY THE CONTINUING EDUCATION REQUIREMENTS OF THIS
17 SUBSECTION BY SUBMITTING TO THE COMMISSIONER OR COMMISSIONER'S
18 DESIGNEE:

19 (I) PROOF THAT THE AGENT OR BROKER HAS COMPLETED AT
20 LEAST 16 HOURS OF CONTINUING EDUCATION FOR THE APPLICABLE RENEWAL
21 PERIOD; OR

22 (II) PROOF THAT THE AGENT OR BROKER HAS COMPLETED AT
23 LEAST 8 HOURS OF CONTINUING EDUCATION FOR THE APPLICABLE RENEWAL
24 PERIOD AND AN AFFIDAVIT THAT, OVER THE PREVIOUS 25 CONSECUTIVE YEARS,
25 THE AGENT OR BROKER CONTINUALLY:

26 1. HAS HELD AN AGENT'S CERTIFICATE OF QUALIFICATION
27 OR A BROKER'S CERTIFICATE OF QUALIFICATION IN THE STATE; AND

28 2. HAS BEEN EMPLOYED IN THE SELLING OF INSURANCE IN
29 THE STATE.

30 (4) (I) TO INCREASE THE LEVEL OF EDUCATION OF AGENTS AND
31 BROKERS, AN AGENT OR BROKER SHALL OBTAIN CONTINUING EDUCATION IN THE
32 KIND OR SUBDIVISION OF INSURANCE FOR WHICH THE AGENT OR BROKER HAS
33 RECEIVED A CERTIFICATE OF QUALIFICATION.

34 (II) EACH AGENT OR BROKER WHO POSSESSES A CERTIFICATE OF
35 QUALIFICATION TO SELL HEALTH INSURANCE AND WHO SELLS LONG-TERM CARE
36 INSURANCE SHALL RECEIVE CONTINUING EDUCATION THAT DIRECTLY RELATES
37 TO LONG-TERM CARE INSURANCE.

38 ~~(5) IN EACH RENEWAL PERIOD, THE COMMISSIONER SHALL ALLOW AN~~
39 ~~AGENT OR BROKER TO RECEIVE UP TO 75% OF THE AGENT'S OR BROKER'S~~
40 ~~CONTINUING EDUCATION REQUIREMENT FROM COURSES SPONSORED BY AN~~
41 ~~INSURER.~~

29

1 ~~(6)~~ (5) IF CONTINUING EDUCATION IS REQUIRED, THE
2 COMMISSIONER MAY GRANT A WAIVER TO AN AGENT OR BROKER WHO:

3 ~~(I) IS AT LEAST 70 YEARS OLD; OR~~

4 ~~(II) HAS REQUESTED A WAIVER FOR OTHER REASONS THAT THE~~
5 COMMISSIONER DETERMINES WARRANT THE WAIVER.

6 (6) AN INSURER MAY NOT PROHIBIT ONE OF ITS AGENTS FROM
7 OBTAINING CONTINUING EDUCATION CREDITS FROM ANY COURSE APPROVED BY
8 THE COMMISSIONER.

9 (B) THE FOLLOWING INDIVIDUALS ARE EXEMPT FROM THE CONTINUING
10 EDUCATION REQUIREMENTS UNDER THIS SECTION:

11 (1) EMPLOYEES OF A HEALTH MAINTENANCE ORGANIZATION WHO
12 ARE EMPLOYED SOLELY TO SOLICIT MEMBERSHIP IN THE HEALTH MAINTENANCE
13 ORGANIZATION UNDER A CONTRACT BETWEEN THE HEALTH MAINTENANCE
14 ORGANIZATION AND THE DEPARTMENT OF HEALTH AND MENTAL HYGIENE;

15 (2) ATTORNEYS AT LAW OF THE STATE WHO ARE QUALIFIED AS TITLE
16 INSURANCE AGENTS OR BROKERS AND WHO DO NOT HOLD A CERTIFICATE OF
17 QUALIFICATION IN ANY OTHER KIND OR SUBDIVISION OF INSURANCE; AND

18 (3) AGENTS OR BROKERS WHO HOLD ONLY A RESTRICTED
19 CERTIFICATE OF QUALIFICATION IN ANY ~~OF THE FOLLOWING TYPES OF~~
20 ~~INSURANCE:~~

21 ~~(I) CREDIT LIFE, CREDIT ACCIDENT, OR CREDIT HEALTH~~
22 ~~INSURANCE;~~

23 ~~(II) TRAVEL TICKET POLICIES OF LIFE, ACCIDENT, OR BAGGAGE~~
24 ~~INSURANCE; OR~~

25 ~~(III) ANY OTHER TYPE OF INSURANCE DESIGNATED BY THE~~
26 COMMISSIONER.

27 (C) THE COMMISSIONER SHALL REVIEW ALL CONTINUING EDUCATION
28 COURSES SUBMITTED AND APPROVE OR DISAPPROVE COURSES ~~ON~~ AFTER
29 RECEIVING THE RECOMMENDATION OF THE APPROPRIATE ADVISORY BOARD
30 APPOINTED UNDER § 10-110 OF THIS SUBTITLE.

31 (D) THE COMMISSIONER MAY ADOPT REGULATIONS TO CARRY OUT THIS
32 SECTION.

33 10-116.1.

34 (A) ON OR BEFORE SEPTEMBER 30 OF THE RENEWAL YEAR, A PERSON WHOSE
35 CERTIFICATE OF QUALIFICATION HAS EXPIRED MAY REINSTATE THE EXPIRED
36 CERTIFICATE OF QUALIFICATION BY:

37 (1) FILING WITH THE COMMISSIONER THE APPROPRIATE
38 REINSTATEMENT APPLICATION;

30

1 (2) PAYING TO THE COMMISSIONER THE APPLICABLE REINSTATEMENT
2 FEE REQUIRED UNDER SUBSECTION (B) OF THIS SECTION; AND

3 (3) SUBMITTING PROOF OF COMPLETION OF THE CONTINUING
4 EDUCATION REQUIREMENTS IN § 10-116 OF THIS SUBTITLE.

5 (B) (1) THE FEE FOR A REINSTATEMENT UNDER THIS SECTION SHALL BE
6 ~~TWICE;~~

7 (1) THE AMOUNT CHARGED FOR A FULL RENEWAL PERIOD FOR
8 THE TYPE OF CERTIFICATE OF QUALIFICATION HELD BY THE PERSON SEEKING THE
9 REINSTATEMENT; AND

10 (II) 1. \$25 FOR REINSTATEMENT DURING THE PERIOD FROM
11 JULY 1 THROUGH JULY 31;

12 2. \$50 FOR REINSTATEMENT DURING THE PERIOD FROM
13 AUGUST 1 THROUGH AUGUST 31; AND

14 3. \$75 FOR REINSTATEMENT DURING THE PERIOD FROM
15 SEPTEMBER 1 THROUGH SEPTEMBER 30.

16 (2) THE COMMISSIONER MAY LIMIT THE REINSTATEMENT FEE TO THE
17 AMOUNT OF THE RENEWAL FEE IN CASES WHERE THE REINSTATEMENT APPLICANT
18 DID NOT MAKE TIMELY RENEWAL BECAUSE OF TEMPORARY INCAPACITY,
19 HOSPITALIZATION, OR OTHER HARDSHIP.

20 (C) (1) A PERSON WHOSE BROKER'S CERTIFICATE OF QUALIFICATION HAS
21 EXPIRED ~~MAY NOT CONDUCT~~ IS PROHIBITED FROM CONDUCTING ANY INSURANCE
22 BUSINESS UNTIL THE EFFECTIVE DATE OF REINSTATEMENT OF THE CERTIFICATE
23 OF QUALIFICATION.

24 (2) A PERSON WHOSE AGENT'S CERTIFICATE OF QUALIFICATION HAS
25 EXPIRED ~~MAY NOT CONDUCT~~ IS PROHIBITED FROM CONDUCTING ANY INSURANCE
26 BUSINESS UNLESS THE PERSON:

27 (I) HAS OBTAINED A REINSTATEMENT OF THE CERTIFICATE OF
28 QUALIFICATION; AND

29 (II) HAS OBTAINED AN APPOINTMENT FROM AT LEAST ONE
30 INSURER.

31 (D) A PERSON WHO DOES NOT COMPLY WITH SUBSECTION (A) OF THIS
32 SECTION ON OR BEFORE ~~THE END OF~~ SEPTEMBER 30 OF THE YEAR OF EXPIRATION
33 SHALL APPLY FOR A CERTIFICATE OF QUALIFICATION UNDER § 10-112 OF THIS
34 SUBTITLE AND MEET THE REQUIREMENTS SPECIFIED BY THE COMMISSIONER IN
35 REGULATION.

36 (E) THE COMMISSIONER MAY ADOPT REGULATIONS TO CARRY OUT THIS
37 SECTION.

31

1 10-126.

2 (a) [Subject to the hearing provisions of] ~~AFTER NOTICE AND OPPORTUNITY~~
3 ~~FOR A HEARING UNDER Title 2 of this article, the~~ THE Commissioner may deny a
4 certificate of qualification to an applicant UNDER §§ 2-210 THROUGH 2-214 OF THIS
5 ARTICLE, or suspend, revoke, or refuse to renew OR REINSTATE a certificate of
6 qualification AFTER NOTICE AND OPPORTUNITY FOR HEARING UNDER §§ 2-210
7 THROUGH 2-214 OF THIS ARTICLE if the applicant or holder of the certificate of
8 qualification:

9 (1) has willfully violated this article or another law of the State that relates
10 to insurance;

11 (2) has intentionally misrepresented or concealed a material fact in the
12 application for a certificate of qualification;

13 (3) has obtained or attempted to obtain a certificate of qualification by
14 misrepresentation, concealment, or other fraud;

15 (4) has misappropriated, converted, or unlawfully withheld money belonging
16 to an insurer, agent, broker, beneficiary, or insured;

17 (5) has willfully and materially misrepresented the provisions of a policy;

18 (6) has committed fraudulent or dishonest practices in the insurance
19 business;

20 (7) has participated, with or without the knowledge of an insurer, in selling
21 motor vehicle insurance without an actual intent to sell the insurance, as evidenced by a
22 persistent pattern of filing certificates of insurance together with or closely followed by
23 cancellation notices for the insurance;

24 (8) has been convicted by final judgment in any state or federal court of a
25 crime involving moral turpitude;

26 (9) has knowingly participated in writing or issuing substantial
27 over-insurance of property insurance risks;

28 (10) has failed an examination required by this subtitle;

29 (11) has willfully failed to comply with or has willfully violated a proper order
30 or regulation of the Commissioner;

31 (12) has failed or refused to pay over on demand money that belongs to an
32 insurer, agent, broker, or other person entitled to the money;

33 (13) has otherwise shown a lack of trustworthiness or competence to act as an
34 agent or broker;

35 (14) is not or does not intend to carry on business in good faith and represent
36 to the public that the person is an agent or broker;

37 (15) has been denied a license or certificate in another state or has had a
38 license or certificate suspended or revoked in another state;

32

1 (16) has intentionally or willfully made or issued, or caused to be made or
 2 issued, a statement that materially misrepresents or makes incomplete comparisons about
 3 the terms or conditions of a policy or contract issued by an authorized insurer, for the
 4 purpose of inducing or attempting to induce the owner of the policy or contract to forfeit
 5 or surrender it or allow it to lapse in order to replace it with another;

6 (17) has transacted insurance business that was directed to the applicant or
 7 holder for consideration by a person whose license or certificate to engage in the
 8 insurance business at the time was suspended or revoked, and the applicant or holder
 9 knew or should have known of the suspension or revocation;

10 (18) has solicited, procured, or negotiated insurance contracts for an
 11 unauthorized insurer, including contracts for nonprofit health service plans, dental plan
 12 organizations, and health maintenance organizations; or

13 (19) has knowingly employed or knowingly continued to employ an individual
 14 acting in a fiduciary capacity who has been convicted of a felony or crime of moral
 15 turpitude within the preceding 10 years.

16 (b) (1) ~~Subject to the hearing provisions of Title 2 of this article, the~~
 17 ~~Commissioner may suspend, revoke, deny, deny renewal, refuse to renew OR REINSTATE,~~
 18 ~~or refuse to grant an application for the certificate of qualification of a limited liability~~
 19 ~~company, partnership, or corporation~~ THE COMMISSIONER MAY DENY A CERTIFICATE
 20 OF QUALIFICATION TO AN APPLICANT LIMITED LIABILITY COMPANY, PARTNERSHIP,
 21 OR CORPORATION UNDER §§ 2-210 THROUGH 2-214 OF THIS ARTICLE, OR SUSPEND,
 22 REVOKE, OR REFUSE TO RENEW OR REINSTATE A CERTIFICATE OF QUALIFICATION
 23 OF A LIMITED LIABILITY COMPANY, PARTNERSHIP, OR CORPORATION AFTER
 24 NOTICE AND OPPORTUNITY FOR HEARING UNDER §§ 2-210 THROUGH 2-214 OF THIS
 25 ARTICLE, if an individual [who has direct control over its fiscal management or an agent,
 26 broker, director, officer, partner, member, manager, owner, or employee of the limited
 27 liability company, partnership, or corporation] LISTED IN PARAGRAPH (2) OF THIS
 28 SUBSECTION has:

29 [(1)] (I) violated any provision of this subtitle;

30 [(2)] (II) been convicted of a felony, a crime of moral turpitude, or any
 31 criminal offense involving dishonesty or breach of trust; or

32 [(3)] (III) had any professional license suspended or revoked for a fraudulent
 33 or dishonest practice.

34 (2) THIS SUBSECTION APPLIES IN ANY CASE THAT INVOLVES A LIMITED
 35 LIABILITY COMPANY, PARTNERSHIP, ~~OR~~ CORPORATION, OR ANY OTHER BUSINESS
 36 ENTITY IF THE VIOLATION WAS COMMITTED BY AN INDIVIDUAL WHO IS:

37 (I) AN AGENT OR BROKER;

38 (II) 1. IN THE CASE OF A LIMITED LIABILITY COMPANY, AN
 39 OFFICER, DIRECTOR, MEMBER, OR MANAGER;

40 2. IN THE CASE OF A PARTNERSHIP, A PARTNER; AND

34

1 (3) pays to the Commissioner the renewal fee required by § 2-112 of this
2 article;

3 (4) is in compliance with the bond requirement of § 10-206 of this subtitle;
4 and

5 (5) if the Commissioner determines that an examination is advisable to
6 determine the trustworthiness or competence of a [licensee] HOLDER, passes an
7 examination given by the Commissioner.

8 (D) AN APPLICATION FOR RENEWAL OF A CERTIFICATE OF QUALIFICATION
9 SHALL BE CONSIDERED MADE IN A TIMELY MANNER IF IT IS POSTMARKED ON OR
10 BEFORE JUNE 30 OF THE YEAR OF RENEWAL.

11 ~~(E)~~ (E) (1) The Commissioner shall renew the [license] CERTIFICATE OF
12 QUALIFICATION of each [licensee] HOLDER who meets the requirements of this
13 section.

14 (2) If [a licensee] THE HOLDER OF A CERTIFICATE OF QUALIFICATION
15 files an application for renewal before the [license] CERTIFICATE OF QUALIFICATION
16 expires, the [license] CERTIFICATE OF QUALIFICATION shall remain in effect until:

17 (i) the Commissioner issues a renewal [license] CERTIFICATE OF
18 QUALIFICATION; or

19 (ii) 5 days after the Commissioner refuses to renew the [license]
20 CERTIFICATE OF QUALIFICATION and gives notice of the refusal to the [licensee]
21 HOLDER.

22 10-211.1.

23 (A) ON OR BEFORE SEPTEMBER 30 OF THE RENEWAL YEAR, A PERSON WHOSE
24 INSURANCE ADVISER'S CERTIFICATE OF QUALIFICATION HAS EXPIRED MAY
25 REINSTATE THE EXPIRED CERTIFICATE OF QUALIFICATION BY:

26 (1) FILING WITH THE COMMISSIONER THE APPROPRIATE
27 REINSTATEMENT APPLICATION;

28 (2) PAYING TO THE COMMISSIONER THE APPLICABLE REINSTATEMENT
29 FEE REQUIRED UNDER SUBSECTION (B) OF THIS SECTION; AND

30 (3) COMPLYING WITH THE BOND REQUIREMENT OF § 10-206 OF THIS
31 SUBTITLE.

32 (B) (1) THE FEE FOR A REINSTATEMENT UNDER THIS SECTION SHALL BE
33 ~~TWICE~~;

34 (1) THE AMOUNT CHARGED FOR A FULL RENEWAL PERIOD FOR
35 THE TYPE OF CERTIFICATE OF QUALIFICATION HELD BY THE PERSON SEEKING THE
36 REINSTATEMENT; AND

37 (II) 1. \$25 FOR REINSTATEMENT DURING THE PERIOD FROM
38 JULY 1 THROUGH JULY 31;

1 2. \$50 FOR REINSTATEMENT DURING THE PERIOD FROM
2 AUGUST 1 THROUGH AUGUST 31; AND

3 3. \$75 FOR REINSTATEMENT DURING THE PERIOD FROM
4 SEPTEMBER 1 THROUGH SEPTEMBER 30.

5 (2) THE COMMISSIONER MAY LIMIT THE REINSTATEMENT FEE TO THE
6 AMOUNT OF THE RENEWAL FEE IN CASES WHERE THE REINSTATEMENT APPLICANT
7 DID NOT MAKE TIMELY RENEWAL BECAUSE OF TEMPORARY INCAPACITY,
8 HOSPITALIZATION, OR OTHER HARDSHIP.

9 (C) A PERSON WHOSE INSURANCE ADVISER'S CERTIFICATE OF
10 QUALIFICATION HAS EXPIRED ~~MAY NOT ACT~~ IS PROHIBITED FROM ACTING AS AN
11 INSURANCE ADVISER UNTIL THE EFFECTIVE DATE OF REINSTATEMENT OF THE
12 CERTIFICATE OF QUALIFICATION.

13 (D) A PERSON WHO DOES NOT COMPLY WITH SUBSECTION (A) OF THIS
14 SECTION ON OR BEFORE ~~THE END OF~~ SEPTEMBER 30 OF THE YEAR OF EXPIRATION
15 SHALL APPLY FOR AN INSURANCE ADVISER'S CERTIFICATE OF QUALIFICATION
16 UNDER § 10-205 OF THIS SUBTITLE AND MEET ANY OTHER REQUIREMENTS
17 SPECIFIED BY THE COMMISSIONER IN REGULATION.

18 (E) THE COMMISSIONER MAY ADOPT REGULATIONS TO CARRY OUT THIS
19 SECTION.

20 10-408.

21 (a) A [license] CERTIFICATE OF QUALIFICATION expires [on the first
22 December 31 that comes after its effective date and in an odd-numbered year] AT THE
23 END OF EVERY OTHER JUNE 30 unless it is renewed for a 2-year term as provided in this
24 section.

25 (b) At least 1 month before a [license] CERTIFICATE OF QUALIFICATION
26 expires, the Commissioner shall mail to the [licensee] HOLDER OF THE CERTIFICATE
27 OF QUALIFICATION, at the last known address of the [licensee] HOLDER:

28 (1) a renewal application form; and

29 (2) a notice that states:

30 (i) the date by which the Commissioner must receive the renewal
31 application for the renewal to be issued and mailed before the [license] CERTIFICATE
32 OF QUALIFICATION expires; and

33 (ii) the amount of the renewal fee.

34 (c) Before a [license] CERTIFICATE OF QUALIFICATION expires, the
35 [licensee] HOLDER OF THE CERTIFICATE OF QUALIFICATION may renew it for an
36 additional 2-year term, if the [licensee] HOLDER:

37 (1) otherwise is entitled to a [license] CERTIFICATE OF QUALIFICATION;

38 (2) files with the Commissioner a renewal application on the form that the
39 Commissioner provides; and

36

1 (3) pays to the Commissioner the renewal fee required by § 2-112 of this
2 article.

3 (D) AN APPLICATION FOR RENEWAL OF A CERTIFICATE OF QUALIFICATION
4 SHALL BE CONSIDERED MADE IN A TIMELY MANNER IF IT IS POSTMARKED ON OR
5 BEFORE JUNE 30 OF THE YEAR OF RENEWAL.

6 ~~(E)~~ (E) (1) The Commissioner shall renew the [license] CERTIFICATE OF
7 QUALIFICATION of each [licensee] HOLDER who meets the requirements of this
8 section.

9 (2) If [a licensee] THE HOLDER OF A CERTIFICATE OF QUALIFICATION
10 files an application for renewal before the [license] CERTIFICATE OF QUALIFICATION
11 expires, the [license] CERTIFICATE OF QUALIFICATION shall remain in effect until:

12 (i) the Commissioner issues a renewal [license] CERTIFICATE OF
13 QUALIFICATION; or

14 (ii) 5 days after the Commissioner refuses in writing to renew the
15 [license] CERTIFICATE OF QUALIFICATION and serves notice of the refusal on the
16 [licensee] HOLDER.

17 10-408.1.

18 (A) ON OR BEFORE SEPTEMBER 30 OF THE RENEWAL YEAR, A PERSON WHOSE
19 PUBLIC ADJUSTER'S CERTIFICATE OF QUALIFICATION HAS EXPIRED MAY
20 REINSTATE THE EXPIRED CERTIFICATE OF QUALIFICATION BY:

21 (1) FILING WITH THE COMMISSIONER THE APPROPRIATE
22 REINSTATEMENT APPLICATION; AND

23 (2) PAYING TO THE COMMISSIONER THE APPLICABLE REINSTATEMENT
24 FEE REQUIRED UNDER SUBSECTION (B) OF THIS SECTION.

25 (B) (1) THE FEE FOR A REINSTATEMENT UNDER THIS SECTION SHALL BE
26 TWICE;

27 (1) THE AMOUNT CHARGED FOR A FULL RENEWAL PERIOD FOR
28 THE TYPE OF CERTIFICATE OF QUALIFICATION HELD BY THE PERSON SEEKING THE
29 REINSTATEMENT; AND

30 (II) 1. \$25 FOR REINSTATEMENT DURING THE PERIOD FROM
31 JULY 1 THROUGH JULY 31;

32 2. \$50 FOR REINSTATEMENT DURING THE PERIOD FROM
33 AUGUST 1 THROUGH AUGUST 31; AND

34 3. \$75 FOR REINSTATEMENT DURING THE PERIOD FROM
35 SEPTEMBER 1 THROUGH SEPTEMBER 30.

36 (2) THE COMMISSIONER MAY LIMIT THE REINSTATEMENT FEE TO THE
37 AMOUNT OF THE RENEWAL FEE IN CASES WHERE THE REINSTATEMENT APPLICANT
38 DID NOT MAKE TIMELY RENEWAL BECAUSE OF TEMPORARY INCAPACITY,
39 HOSPITALIZATION, OR OTHER HARDSHIP.

37

1 (C) A PERSON WHOSE PUBLIC ADJUSTER'S CERTIFICATE OF QUALIFICATION
2 HAS EXPIRED ~~MAY NOT ACT~~ IS PROHIBITED FROM ACTING AS A PUBLIC ADJUSTER
3 UNTIL THE EFFECTIVE DATE OF REINSTATEMENT OF THE CERTIFICATE OF
4 QUALIFICATION.

5 (D) A PERSON WHO DOES NOT COMPLY WITH SUBSECTION (A) OF THIS
6 SECTION ON OR BEFORE ~~THE END OF~~ SEPTEMBER 30 OF THE YEAR OF EXPIRATION
7 SHALL APPLY FOR A PUBLIC ADJUSTER'S CERTIFICATE OF QUALIFICATION UNDER §
8 10-405 OF THIS SUBTITLE AND MEET ANY OTHER REQUIREMENTS SPECIFIED BY THE
9 COMMISSIONER IN REGULATION.

10 (E) THE COMMISSIONER MAY ADOPT REGULATIONS TO CARRY OUT THIS
11 SECTION.

12 SECTION 7. AND BE IT FURTHER ENACTED, That the Laws of Maryland
13 read as follows:

14 **Chapter 609 of the Acts of 1989, as amended by Chapter 39 of the Acts of 1993**

15 SECTION 2. AND BE IT FURTHER ENACTED, That the changes made to
16 Article 48A, §§ 170 and 344E of the Code, as enacted by this Act and Chapter 516 of the
17 Acts of the General Assembly of 1986 as amended by this Act, shall remain effective [for
18 a period of 8 years and, at the end of June 30, 1997, and with no further action required
19 by the General Assembly, the changes made by this Act and Chapter 516 of the Acts of
20 the General Assembly of 1986 as amended by this Act, to Article 48A, §§ 170 and 344E
21 of the Code shall be abrogated and of no further force and effect]UNTIL SUCH TIME
22 AS THEY ARE FURTHER AMENDED BY THE GENERAL ASSEMBLY.

23 SECTION 8. AND BE IT FURTHER ENACTED, That, in construing the
24 provisions of Article 48A - Insurance Code and the revised Insurance Article with regard
25 to the regulation of insurance professionals, the term "certificate of qualification" shall
26 have the same meaning as the term "license"; however, the preferred term shall be
27 "certificate of qualification". The Maryland Insurance Administration shall review the
28 revised Insurance Article and shall, in consultation with the Department of Legislative
29 Reference, make the appropriate amendments to the Insurance Article to change the
30 usage of the term "license" to "certificate of qualification"; these changes shall be made
31 in the Annual Corrective Bill to be introduced during the 1998 Session of the Maryland
32 General Assembly.

33 SECTION 9. AND BE IT FURTHER ENACTED, That Sections 1, 2, 3, 4, 7, and
34 8 of this Act shall take effect June 1, 1997.

35 SECTION 10. AND BE IT FURTHER ENACTED, That Sections 5 and 6 of this
36 Act shall take effect October 1, 1997.

