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By: **Delegate McHale**
Introduced and read first time: February 14, 2003
Assigned to: Rules and Executive Nominations

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A BILL ENTITLED

1 AN ACT concerning

2   **Property and Casualty Insurance - Insurance Commissioner's Data Request**

3 FOR the purpose of authorizing the Maryland Insurance Commissioner to excuse,
4   under certain circumstances, property and casualty insurers from responding to
5   the Commissioner's request for data that relates to policies written by the
6   insurer; and generally relating to the Insurance Commissioner's request for
7   data that relates to policies written by property and casualty insurers.

8 BY repealing and reenacting, with amendments,
9   Article - Insurance
10   Section 19-112
11   Annotated Code of Maryland
12   (2002 Replacement Volume and 2002 Supplement)

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

15   **Article - Insurance**

16 19-112.

17   (a)   The Commissioner may request by bulletin from a property and casualty
18 insurer, data that relates to policies written by the insurer.

19   (b)   A request by bulletin under this section shall specify:

20   (1)   the line of insurance for which the data is being requested; and

21   (2)   the period of time for which the data is requested.

22   (c)   Data requested by bulletin under this section shall be filed with the
23 Commissioner in a form required by the Commissioner.

24   (d)   (1)   A request by bulletin expires 2 years after the date of the request by
25 the Commissioner.

1   (2)   If the Commissioner needs additional data after the end of that
2   2-year period, the Commissioner shall issue another bulletin.

3   (e)   At least 15 days prior to granting an application under § 10-614 of the
4   State Government Article to inspect company-specific data that was requested by
5   bulletin under this section, the Commissioner shall notify the insurer that supplied
6   the data:

7   (1)   that the Commissioner has received an application to inspect data
8   filed by the insurer;

9   (2)   which data the Commissioner intends to disclose in granting the
10 application; and

11   (3)   that, within 7 days of receipt of the notice, the insurer has the
12 opportunity to provide any reason why the data is confidential commercial data or is
13 otherwise protected from disclosure under the Public Information Act.

14   (F)   THE COMMISSIONER SHALL EXCUSE AN INSURER FROM RESPONDING TO
15 A REQUEST FOR DATA IF THE INSURER DEMONSTRATES TO THE COMMISSIONER:

16   (1)   THAT THE INSURER'S DATA WOULD BE OF MARGINAL USE TO THE
17 REQUEST FOR DATA; OR

18   (2)   COLLECTION OF THE DATA WOULD BE AN UNDUE BURDEN ON THE
19 INSURER BASED ON THE SIZE OF THE INSURER.

20   SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
21 October 1, 2003.