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

Introduced and read first time: January 20, 2005

Assigned to: Economic Matters

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Committee Report: Favorable with amendments

House action: Adopted

Read second time: February 15, 2005

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CHAPTER \_\_\_\_\_

1 AN ACT concerning

2 **Insurance Producers - Continuing Education Requirements**

3 FOR the purpose of requiring certain insurance producers to receive continuing  
 4 education on flood insurance under certain circumstances; requiring certain  
 5 insurance producers to complete the continuing education requirements related  
 6 to flood insurance on or before a certain date; providing for the termination of  
 7 this Act; and generally relating to continuing education requirements for  
 8 insurance producers.

9 BY repealing and reenacting, with amendments,  
 10 Article - Insurance  
 11 Section 10-116(a)  
 12 Annotated Code of Maryland  
 13 (2003 Replacement Volume and 2004 Supplement)

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

16 **Article - Insurance**

17 10-116.

18 (a) (1) Subject to subsections (b) and (c) of this section, the Commissioner  
 19 shall require an insurance producer to receive continuing education as a condition of  
 20 renewing the license of the insurance producer.

1                   (2)     The Commissioner may not require an individual who holds a license  
2 to receive more than:

3                   (i)     16 hours of continuing education per renewal period, if the  
4 insurance producer has held a license for less than 25 consecutive years; and

5                   (ii)    8 hours of continuing education per renewal period, if the  
6 insurance producer has held a license for 25 or more consecutive years.

7                   (3)     Subject to paragraph (4) of this subsection, an insurance producer  
8 may satisfy the continuing education requirements of this subsection by submitting to  
9 the Commissioner or Commissioner's designee:

10                  (i)     proof that the insurance producer has completed at least 16  
11 hours of continuing education for the applicable renewal period; or

12                  (ii)    proof that the insurance producer has completed at least 8  
13 hours of continuing education for the applicable renewal period and an affidavit that,  
14 over the previous 25 consecutive years, the insurance producer continually:

15                               1.     has held a license in the State; and

16                               2.     has been employed in the selling of insurance in the State.

17                  (4)     (i)     To increase the level of education of insurance producers, an  
18 insurance producer shall obtain continuing education in the kind or subdivision of  
19 insurance for which the insurance producer has received a license.

20                  (ii)    Each insurance producer who possesses a license to sell health  
21 insurance and who sells long-term care insurance shall receive continuing education  
22 that directly relates to long-term care insurance.

23                  (iii)   Each insurance producer who possesses a license to sell  
24 property and casualty insurance and who sells flood insurance shall receive  
25 continuing education that directly relates to flood insurance.

26                  (IV)   EACH INSURANCE PRODUCER WHO POSSESSES A LICENSE TO  
27 SELL PROPERTY AND CASUALTY INSURANCE AND WHO SELLS HOMEOWNER'S  
28 INSURANCE SHALL RECEIVE CONTINUING EDUCATION THAT DIRECTLY RELATES TO  
29 FLOOD INSURANCE.

30                  (5)     If continuing education is required, the Commissioner may grant a  
31 waiver to an insurance producer who has requested a waiver for reasons that the  
32 Commissioner determines warrant the waiver.

33                  (6)     An insurer may not prohibit one of its insurance producers from  
34 obtaining continuing education credits from any course approved by the  
35 Commissioner.

1 SECTION 2. AND BE IT FURTHER ENACTED, That each insurance producer  
2 subject to this Act shall have completed the continuing education requirements  
3 related to flood insurance on or before September 30, 2007.

4 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect  
5 October 1, 2005. It shall remain effective for a period of 2 years and, at the end of  
6 September 30, 2007, with no further action required by the General Assembly, this  
7 Act shall be abrogated and of no further force and effect.