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By: **Senator Della**

Introduced and read first time: January 24, 2006

Assigned to: Finance

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A BILL ENTITLED

1 AN ACT concerning

2 **Insurance Commissioner - Subsequent Employment**

3 FOR the purpose of prohibiting the Insurance Commissioner from accepting  
4 employment in the insurance industry for a certain period of time immediately  
5 after leaving office as the Commissioner; and providing for the application of  
6 this Act.

7 BY repealing and reenacting, with amendments,  
8 Article - Insurance  
9 Section 2-103  
10 Annotated Code of Maryland  
11 (2003 Replacement Volume and 2005 Supplement)

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

14 **Article - Insurance**

15 2-103.

16 (a) (1) The Governor shall appoint the Commissioner with the advice and  
17 consent of the Senate.

18 (2) The Commissioner shall serve for a term of 4 years.

19 (3) The Commissioner is directly responsible to the Governor.

20 (4) The Commissioner shall counsel and advise the Governor on all  
21 matters assigned to the Administration.

22 (5) The Commissioner may be removed by the Governor for:

23 (i) malfeasance;

24 (ii) incompetence; or

1 (iii) failure to carry out the duties of office in a manner consistent  
2 with the regulatory purpose and requirements of this article.

3 (b) (1) The Commissioner is responsible for the operation of the  
4 Administration.

5 (2) The Commissioner shall:

6 (i) exercise the powers and perform the duties of the  
7 Administration under this article;

8 (ii) organize the Administration to function efficiently and to serve  
9 the public; and

10 (iii) establish, in the Administration, the units necessary for the  
11 exercise of the powers and performance of the duties of the Administration.

12 (c) The Commissioner shall devote full time to the duties of office.

13 (d) The Commissioner is in the executive service of the State Personnel  
14 Management System and is entitled to compensation under the Executive Pay Plan in  
15 accordance with the State budget.

16 (e) The Commissioner shall be covered by a surety bond in the form and  
17 amount required by law.

18 (f) (1) The Commissioner shall have a seal of office in the form approved by  
19 the Governor.

20 (2) The impression and description of the seal shall be filed with the  
21 Secretary of State.

22 (G) THE COMMISSIONER MAY NOT ACCEPT EMPLOYMENT IN THE INSURANCE  
23 INDUSTRY FOR A PERIOD OF 1 YEAR IMMEDIATELY AFTER LEAVING OFFICE AS THE  
24 COMMISSIONER.

25 SECTION 2. AND BE IT FURTHER ENACTED, That the provisions of this  
26 Act shall be construed to apply to the incumbent Insurance Commissioner as of July  
27 1, 2006.

28 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take  
29 effect July 1, 2006.