

## CHAPTER 23

(Senate Bill 85)

AN ACT concerning

### **Insurance – Notice of Cancellation or Nonrenewal – Mailing Address**

FOR the purpose of requiring certain notices of cancellation or nonrenewal to be sent to the named insured at a certain address; and generally relating to notices of cancellation or nonrenewal.

BY repealing and reenacting, with amendments,  
Article – Insurance  
Section 12–106(f)  
Annotated Code of Maryland  
(2003 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,  
Article – Insurance  
Section 27–602(b), (c), and (d)  
Annotated Code of Maryland  
(2006 Replacement Volume and 2008 Supplement)

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

### **Article – Insurance**

12–106.

(f) (1) Except as provided in paragraph (2) of this subsection, a notice of cancellation under this section shall:

- (i) be in writing;
- (ii) have an effective date not less than 15 days after mailing;
- (iii) state clearly and specifically the insurer’s actual reason for the cancellation; and

(iv) be sent by certificate of mail **TO THE NAMED INSURED’S LAST KNOWN ADDRESS.**

(2) A notice of cancellation under this section for nonpayment of premium shall:

- (i) be in writing;
- (ii) have an effective date of not less than 10 days after mailing;
- (iii) state the insurer's intent to cancel for nonpayment of premium; and

(iv) be sent by certificate of mail **TO THE NAMED INSURED'S LAST KNOWN ADDRESS.**

27-602.

(b) (1) Whenever an insurer, as required by subsection (c) of this section, gives notice of its intention to cancel or not to renew a policy subject to this section issued in the State or before an insurer cancels a policy subject to this section issued in the State for a reason other than nonpayment of premium, the insurer shall notify the insured of the possible right of the insured to replace the insurance under the Maryland Property Insurance Availability Act or through another plan for which the insured may be eligible.

(2) The notice required by paragraph (1) of this subsection must:

- (i) be in writing;
- (ii) contain the current address and telephone number of the offices of the appropriate plan; and

(iii) be sent to the **NAMED** insured **AT THE NAMED INSURED'S LAST KNOWN ADDRESS** in the same manner and at the same time as the first written notice of cancellation or of intention not to renew given or required by law, regulation, or contract.

(c) (1) At least 45 days before the date of the proposed cancellation or expiration of the policy, the insurer shall send to the **NAMED** insured **AT THE NAMED INSURED'S LAST KNOWN ADDRESS**, by certificate of mail, a written notice of intention to cancel for a reason other than nonpayment of premium or notice of intention not to renew a policy issued in the State.

(2) An insurer shall maintain proof of mailing in a form authorized or accepted by the United States Postal Service.

(3) Notice given to the insured by an insurance producer on behalf of the insurer is deemed to have been given by the insurer for purposes of this subsection.

(4) Notwithstanding paragraph (3) of this subsection, no notice is required under this section if the insured has replaced the insurance.

(d) At least 10 days before the date an insurer proposes to cancel a policy for nonpayment of premium, the insurer shall send to the **NAMED** insured, **AT THE NAMED INSURED'S LAST KNOWN ADDRESS**, by certificate of mail, a written notice of intention to cancel for nonpayment of premium.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2009.

**Approved by the Governor, April 14, 2009.**