

Chapter 154

(House Bill 1082)

AN ACT concerning

Homeowner's Insurance – Model Information – People's Insurance Counsel

FOR the purpose of requiring ~~that the People's Insurance Counsel Division shall have access to certain information in certain insurer filings concerning rates, issuance, and renewal of homeowner's insurance~~ certain insurers to make arrangements for the vendor of a certain risk planning model to explain to the People's Insurance Counsel the data used in the model and the manner in which the output is obtained; requiring the ~~Division~~ People's Insurance Counsel to maintain the confidentiality of certain information; and generally relating to homeowner's insurance, risk planning models, and the People's Insurance Counsel ~~Division~~.

BY repealing and reenacting, with amendments,

Article – Insurance

Section 19–211

Annotated Code of Maryland

(2006 Replacement Volume and 2010 Supplement)

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

Article – Insurance

19–211.

(a) (1) If an insurer uses a catastrophic risk planning model or other model in setting homeowner's insurance rates or refusing to issue or renew homeowner's insurance because of the geographic location of the risk, the insurer shall:

(i) file with the Commissioner a description of the specific model used in setting the rate or refusing to issue or renew homeowner's insurance because of the geographic location of the risk; and

(ii) make arrangements for the vendor of the model to explain to the Commissioner AND THE PEOPLE'S INSURANCE COUNSEL the data used in the model and the manner in which the output is obtained.

(2) If at any time an insurer changes the catastrophic risk planning model or other model upon which it is relying, the insurer shall notify the Commissioner of the change and comply with paragraph (1) of this subsection.

~~(b) IF THE PEOPLE'S INSURANCE COUNSEL DIVISION DETERMINES THAT THE INTERESTS OF INSURANCE CONSUMERS ARE AFFECTED BY AN INSURER FILING THAT USES A CATASTROPHIC RISK PLANNING MODEL OR OTHER MODEL, THE DIVISION SHALL HAVE FULL ACCESS TO FILINGS MADE UNDER SUBSECTION (A) OF THIS SECTION.~~

~~(c)~~ (1) The information filed under subsection (a) of this section is proprietary and confidential commercial information under § 10-617(d) of the State Government Article.

(2) THE PEOPLE'S INSURANCE COUNSEL ~~DIVISION~~ SHALL MAINTAIN THE CONFIDENTIALITY OF ANY PROPRIETARY AND CONFIDENTIAL COMMERCIAL INFORMATION TO WHICH THE ~~DIVISION~~ PEOPLE'S INSURANCE COUNSEL OBTAINS ACCESS UNDER SUBSECTION ~~(B)~~ (A) OF THIS SECTION.

~~{(c)}~~ ~~(D)~~ The Commissioner may adopt regulations to implement the provisions of this section.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect June 1, 2011.

Approved by the Governor, April 12, 2011.