

BY: Finance Committee

AMENDMENTS TO HOUSE BILL 695
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike “Prohibited” and substitute “Notice and Study”; in line 5, after “notice;” insert “providing that the notice is not part of the policy or contract of insurance and does not create a private right of action;”; in line 6, strike “a”; and in line 7, strike “committee” and substitute “committees”.

AMENDMENT NO. 2

On page 2, in line 10, after “ACC” insert “CLAUSE”; strike beginning with “DESCRIBES” in line 11 down through “(4)” in line 13; in line 15, strike “(5)” and substitute “(4)”; after line 17, insert:

“(B) THE NOTICE UNDER SUBSECTION (A) OF THIS SECTION:

(1) IS NOT PART OF THE POLICY OR CONTRACT OF INSURANCE;

AND

(2) DOES NOT CREATE A PRIVATE RIGHT OF ACTION.”;

in line 18, strike “(B)” and substitute “(C)”; in line 21, after “Committee” insert “and the Senate Finance Committee”; in line 24, strike “Committee” and substitute “Committees”; in line 26, strike “clause (ACC)” and substitute “(ACC) clause”; in lines 27, 29, and 30, in each instance, after “ACC” insert “clause”; and in line 31, strike “5” and substitute “3”.

On page 3, in lines 1 and 3, after “ACC” insert “clause”; in line 4, strike the second “and”; in line 7, after “claims” insert “; and”

(Over)

(7) the adequacy of the notice required under § 19-215 of the Insurance Article, as enacted by Section 1 of this Act, in informing insureds about exclusions and the ACC clause and whether the notice should:

(i) provide an explanation of how the ACC clause may be applied; or

(ii) state that, if the insured would like an explanation of how the ACC clause may be applied, the insured should communicate with the insurer or the insurance producer, if the insurer has provided the information to the insurance producer”;

in line 9, after “Committee” insert “and staff of the Senate Finance Committee”; in lines 10 and 11, strike “requested by the Committee” and substitute “the Committees request the Maryland Insurance Administration to provide”; in line 12, strike “Committee” and substitute “Committees”; and in line 16, strike “October 1, 2013” and substitute “January 1, 2014”.