

SENATE BILL 1039

C3, C4

0lr3757
CF HB 1593

By: **Senator Klausmeier**

Introduced and read first time: February 17, 2020

Assigned to: Rules

A BILL ENTITLED

1 AN ACT concerning

2 **Maryland Insurance Commissioner – Hearings – Authority to Delegate**

3 FOR the purpose of authorizing the Maryland Insurance Commissioner to delegate to any
4 Maryland Insurance Administration employee, rather than only one, who is
5 designated by the Commissioner and admitted to the practice of law in the State the
6 responsibility for holding certain hearings; and generally relating to Maryland
7 Insurance Administration hearings.

8 BY repealing and reenacting, with amendments,

9 Article – Insurance

10 Section 2–210

11 Annotated Code of Maryland

12 (2017 Replacement Volume and 2019 Supplement)

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

15 **Article – Insurance**

16 2–210.

17 (a) (1) The Commissioner may hold hearings that the Commissioner considers
18 necessary for any purpose under this article.

19 (2) The Commissioner shall hold a hearing:

20 (i) if required by any provision of this article; or

21 (ii) except as otherwise provided in this article, on written demand
22 by a person aggrieved by any act of, threatened act of, or failure to act by the Commissioner
23 or by any report, regulation, or order of the Commissioner, except an order to hold a hearing

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 or an order resulting from a hearing.

2 (b) (1) A demand for a hearing shall state the grounds for the relief to be
3 demanded at the hearing.

4 (2) Within 30 consecutive days after receiving a demand for a hearing, the
5 Commissioner shall:

6 (i) grant and, unless postponed by mutual consent of the parties,
7 hold the hearing; or

8 (ii) issue an order refusing the hearing.

9 (3) If the Commissioner does not grant or refuse a hearing within the
10 30-day period, the hearing is deemed to have been refused.

11 (c) (1) Except as provided in paragraph (2) of this subsection, a hearing held
12 under this section shall be conducted in accordance with Title 10, Subtitle 2 of the State
13 Government Article (Administrative Procedure Act – Contested Cases).

14 (2) A hearing held under this section is not subject to § 10–216 of the State
15 Government Article.

16 (d) The Commissioner may delegate to the Deputy Commissioner, an associate
17 deputy commissioner, an associate commissioner, or [one] ANY other Administration
18 employee who is designated by the Commissioner and admitted to the practice of law in the
19 State the responsibility for holding a hearing under this section or § 4–114 of this article.

20 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
21 October 1, 2020.