

HOUSE BILL 1277

C4, C3

7lr3356
CF 7lr3471

By: **Delegate Davis**

Introduced and read first time: February 10, 2017

Assigned to: Economic Matters

Committee Report: Favorable with amendments

House action: Adopted

Read second time: March 8, 2017

CHAPTER _____

1 AN ACT concerning

2 **Insurance – Producer Licensing – Examinations**

3 FOR the purpose of altering the number of days an applicant for a license to act as an
4 insurance producer who fails a certain examination must wait before retaking the
5 examination; and generally relating to examination requirements for insurance
6 producers.

7 BY repealing and reenacting, with amendments,
8 Article – Insurance
9 Section 10–108 and 10–109
10 Annotated Code of Maryland
11 (2011 Replacement Volume and 2016 Supplement)

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

14 **Article – Insurance**

15 10–108.

16 (a) An individual applicant who otherwise qualifies for a license for insurance
17 other than life insurance, health insurance, or annuities is entitled to be examined as
18 provided in this section.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



1 (b) To determine the competence of an individual applicant as to the kind or
2 subdivision of insurance for which the applicant wants to become licensed, the applicant
3 shall pass a written examination that relates to that kind or subdivision of insurance.

4 (c) The Commissioner shall adopt reasonable regulations that specify:

5 (1) the scope, type, conduct, and grading of the written examinations;

6 (2) the frequency, times, and locations within the State where the written
7 examinations will be held; and

8 (3) the educational requirements for an individual applicant to be eligible
9 to take a written examination.

10 (d) Before taking a written examination, an individual applicant shall:

11 (1) (i) demonstrate to the Commissioner that the applicant has
12 completed the educational requirements set out by the Commissioner; or

13 (ii) submit to the Commissioner at the time of the examination an
14 affidavit from the employer of the applicant stating facts that show compliance with the
15 applicable requirements of § 10–104(e)(2) or (3) of this subtitle, if the applicant qualifies by
16 meeting the experience requirements of § 10–104(e)(2) or (3) of this subtitle; and

17 (2) pay the application fee required under § 2–112(a)(6)(vi) of this article.

18 (e) All written examinations shall be graded within 30 days following the date of
19 the examination.

20 (f) An individual applicant who fails an examination may not take another
21 examination until at least [14 days] ~~1 DAY~~ 4 DAYS after the date of the last examination
22 that the applicant failed.

23 10–109.

24 (a) An individual applicant who otherwise qualifies for a license for life insurance,
25 health insurance, annuities, nonprofit health service plans, dental plan organizations, or
26 health maintenance organizations is entitled to be examined as provided in this section.

27 (b) (1) Each individual applicant must pass a personal written examination to
28 determine:

29 (i) the competence of the applicant as to life insurance, health
30 insurance, or annuities or to any subdivision of them, including contracts for nonprofit
31 health service plans, vision plans, dental plan organizations, and health maintenance
32 organizations; and

1 (ii) the familiarity of the applicant with the applicable laws of the
2 State.

3 (2) Each examination must be graded within 30 days after the date of the
4 examination.

5 (c) An individual applicant who fails an examination may not take another
6 examination until at least [14 days] ~~1 DAY~~ 4 DAYS after the date of the last examination
7 that the applicant failed.

8 (d) The Commissioner shall adopt reasonable regulations that specify:

9 (1) the scope, type, conduct, and grading of the written examinations;

10 (2) the frequency, times, and places in the State where the written
11 examinations will be held; and

12 (3) subject to § 10–105(e) of this subtitle, the educational requirements for
13 an individual applicant to be eligible to take a written examination.

14 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
15 October 1, 2017.

Approved:

Governor.

Speaker of the House of Delegates.

President of the Senate.