

SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 1990.

Approved April 24, 1990.

CHAPTER 127

(House Bill 141)

AN ACT concerning

Insurance Fraud – Penalties

FOR the purpose of altering ~~the penalty~~ certain penalties for engaging in certain fraudulent insurance activities.

BY repealing and reenacting, with amendments,

Article 48A – Insurance Code

Section 233

Annotated Code of Maryland

(1986 Replacement Volume and 1989 Supplement)

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

Article 48A – Insurance Code

233.

Any agent, broker, solicitor, examining physician, applicant, or other person, who:

(1) knowingly or wilfully makes any false or fraudulent statement or representation in or with reference to any application for insurance SHALL BE GUILTY OF A MISDEMEANOR, AND, UPON CONVICTION, SHALL BE PUNISHED BY A FINE OF NOT MORE THAN \$1,000 OR BY IMPRISONMENT FOR A PERIOD OF NOT MORE THAN 6 MONTHS OR BOTH SUCH FINE AND IMPRISONMENT IN THE DISCRETION OF THE COURT; ~~or~~ AND

(2) for the purpose of obtaining any money or benefit, knowingly or wilfully presents or causes to be presented a false or fraudulent claim; or any proof in support of such a claim for the payment of the loss upon a contract of insurance; or prepares, makes, or subscribes a false or fraudulent account, certificate, affidavit or proof of loss, or other document or writing, with intent that the same may be presented or used in support of such a claim, shall be guilty of a misdemeanor, and, upon conviction, shall be punished by a fine of not more than [one thousand dollars (\$1,000)] \$10,000 or by imprisonment for a period of not more than [six (6) months,] 1 YEAR or both such fine and imprisonment in the discretion of the court.