

SEC. 2. *And be it further enacted*, That this Act shall take effect July 1, 1971.

Approved May 28, 1971.

CHAPTER 755
(Senate Bill 143)

AN ACT to repeal and re-enact, with amendments, Sections 12 and 55A of Article 48A of the Annotated Code of Maryland (1968 Replacement Volume), as amended, title "Insurance Code," subtitles "Definitions and General Provisions," and "Insurers: Authorization and General Requirements," respectively, to change the maximum fine for willful violation of Article 48A; to lower the minimum and raise the maximum penalties which the Commissioner may impose for violations of Article 48A; to add restitution to the remedies which the Commissioner may require; and to make the imposition of a penalty and the requirement for restitution additional as well as alternative to revocation or suspension.

SECTION 1. *Be it enacted by the General Assembly of Maryland*, That Sections 12 and 55A of Article 48A of the Annotated Code of Maryland (1968 Replacement Volume), as amended, title "Insurance Code," subtitles "Definitions and General Provisions," and "Insurers: Authorization and General Requirements," respectively, be and they are hereby repealed and re-enacted, with amendments, to read as follows:

12.

Each willful violation of any provision of this article, with respect to which violation a greater penalty is not provided by other applicable laws of this State, shall, in addition to any administrative penalty otherwise applicable thereto, upon conviction in a court of competent jurisdiction of this State be punishable by a fine of not more than one *hundred thousand dollars* [(\$1,000)] (\$100,000).

55A.

In lieu of *or in addition to* revocation or suspension of an insurer's certificate of authority the Commissioner may (1) impose a penalty of not less than [one thousand] *one hundred dollars* [(\$1,000)] (\$100) or more than [twenty-five] *fifty thousand dollars* [(\$25,000)] (\$50,000) for each violation of this Article on any insurer whose certificate of authority is subject to revocation or suspension under the provisions of this article, and (2) require that restitution be made by such insurer to any person who has suffered financial injury or damage as a result of such violation.

SEC. 2. *And be it further enacted*, That this Act shall take effect July 1, 1971.

Approved May 28, 1971.