

CHAPTER 147

(House Bill 449)

AN ACT to repeal and re-enact, with amendments, Section 166 of Article 48A of the Annotated Code of Maryland (1972 Replacement Volume), title "Insurance Code," subtitle "Il. Agents and Brokers," to amend the definition of agent under the laws relating to insurance agents and brokers.

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That Section 166 of Article 48A of the Annotated Code of Maryland (1972 Replacement Volume), title "Insurance Code," subtitle "Il. Agents and Brokers," be and it is hereby repealed and re-enacted, with amendments, to read as follows:

166.

As used in this subtitle:

(a) An "agent" is [an individual] A PERSON appointed by an insurer (1) to solicit applications for insurance or annuities or to negotiate insurance on its behalf; and (2) if authorized to do so by the insurer, to effectuate and countersign insurance contracts. The term "agent" shall not include:

(1) Individuals employed and used by agents or insurers for the performance of clerical, stenographic and similar office duties;

(2) Any regular salaried officer or employee of an insurer rendering assistance to or on behalf of a licensed agent, provided that such salaried officer or employee receives no commission or other compensation directly dependent upon the amount of business obtained;

(3) Any person who secures and forwards information for the purpose of group insurance coverage or for enrolling individuals under group insurance coverages or issuing certificates thereunder where no commission is paid for such services.

(b) A "broker" is a person who for compensation in any manner solicits, procures or negotiates insurance contracts or the renewal or continuance thereof, on behalf of insureds or prospective insureds other than himself and not on behalf of an insurer or agent.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 1973.

Approved April 26, 1973.

CHAPTER 148

(House Bill 448)

AN ACT to repeal and re-enact, with amendments, Section 311 of Article 43 of the Annotated Code of Maryland (1971 Replacement Volume), title "Health," subtitle "State Board of Barber Examiners," to provide that the appointments by the Governor of the members of the Board of Barber Examiners shall be for a term of five years.