

~~underwrite or renew a particular insurance risk or class of risk except by the application of standards which are reasonably related to the insurer's economic and business purposes. At any hearing to determine whether there has been a violation of this section, the burden of persuasion shall be upon the insurer to demonstrate that the cancellation, or refusal to underwrite or renew is justified under the standards so demonstrated.~~

(b) No insurer shall require the existence of special conditions, facts, or situations as a condition to its acceptance or renewal of, a particular insurance risk or class of risks in an arbitrary, capricious, unfair, or discriminatory manner based in whole or part upon race, creed, color, sex, religion, national origin, place of residency, or blindness OR OTHER PHYSICAL HANDICAP OR DISABILITY. Actuarial justification may be considered with respect to sex.

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(a) No surety shall cancel or refuse to issue or renew a surety bond as defined in § 69 of this article for any reason based in whole or in part upon race, color, creed [or], sex, OR PHYSICAL HANDICAP OR DISABILITY of an applicant or principal or for any other arbitrary, capricious, or unfairly discriminatory reason.

(b) No surety shall require the existence of special conditions, facts, or situations as a condition to its acceptance or renewal of a particular surety risk in an arbitrary, capricious, unfair, or discriminatory manner based in whole or in part upon the race, creed, color, sex, religion, national origin [or], place of residence, OR PHYSICAL HANDICAP OR DISABILITY.

(d) Any person aggrieved under this section shall notify the Commissioner within 30 days in writing, specifying the facts giving rise to his complaint. The Commissioner shall, upon receipt of the complaint, forward a copy of the complaint to the surety. If the Commissioner finds from the complaint that it is without merit, he shall dismiss the complaint without a hearing, and shall, in that event promptly notify, in writing, the surety and the complainant. In all other cases, the Commissioner shall hold a hearing on the complaint within 30 days after receipt of the complaint and shall give written notice of the time and place of the hearing to all parties at least 10 days prior to the scheduled date of the hearing. At any hearing to determine whether there has been a violation of this section, the burden of persuasion shall be upon the surety to demonstrate that the cancellation or refusal to underwrite or renew is not based in whole or in part upon race, color, creed [or], sex, OR PHYSICAL HANDICAP OR DISABILITY of an applicant or principal or for any unfairly discriminatory reason. If, after the hearing, the Commissioner finds that the surety has violated any