

6-302.

(a) (1) There is a People's Insurance Counsel Division in the Office of the Attorney General.

(2) The Attorney General shall appoint the People's Insurance Counsel with the advice and consent of the Senate.

(c) The People's Insurance Counsel[:

(1)] shall have been admitted to practice law in the State[;

(2) shall have knowledge of and expertise in the insurance business; and

(3) may not hold an official relation to or have any pecuniary interest in an insurer].

(F) THE PEOPLE'S INSURANCE COUNSEL AND EMPLOYEES OF THE DIVISION MAY NOT HOLD AN OFFICIAL RELATION TO OR HAVE ANY PECUNIARY INTEREST IN AN INSURER, INSURANCE AGENCY, OR INSURANCE TRANSACTION, OTHER THAN AS A POLICYHOLDER OR CLAIMANT UNDER A POLICY.

6-304.

(C) (1) THE ASSESSMENT COLLECTED UNDER THIS SECTION IS:

(I) IN ADDITION TO ANY PENALTIES OR PREMIUM TAX IMPOSED UNDER THE INSURANCE ARTICLE; AND

(II) DUE AND PAYABLE TO THE COMMISSIONER ON OR BEFORE A DATE DETERMINED BY THE COMMISSIONER EACH YEAR.

(2) (I) FAILURE BY AN INSURER TO PAY AN ASSESSMENT FEE ON OR BEFORE THE DUE DATE SHALL SUBJECT THE INSURER TO THE PROVISIONS OF §§ 4-113 AND 4-114 OF THE INSURANCE ARTICLE.

(II) IN ADDITION TO THE PENALTY IMPOSED UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH, IF AN ASSESSMENT FEE IS NOT PAID ON OR BEFORE THE DUE DATE, THE COMMISSIONER MAY IMPOSE A PENALTY OF 5% OF THE AMOUNT DUE AND INTEREST AT THE RATE DETERMINED UNDER § 13-701 (B)(1) OF THE TAX - GENERAL ARTICLE FROM THE DUE DATE UNTIL PAYMENT IS MADE TO THE COMMISSIONER.

6-306.

(a) (1) The Division shall evaluate each MEDICAL PROFESSIONAL LIABILITY INSURANCE AND HOMEOWNERS INSURANCE matter pending before the Commissioner to determine whether the interests of insurance consumers are affected.

(2) If the Division determines that the interests of insurance consumers are affected, the Division [shall] MAY appear before the Commissioner and courts on behalf of insurance consumers in each matter or proceeding over which the Commissioner has original jurisdiction.