

CHAPTER 856

(House Bill 874)

AN ACT concerning

Insurance Commissioner - Jurisdiction

FOR the purpose of granting the Insurance Commissioner exclusive jurisdiction over certain matters relating to alleged discrimination in insurance; granting the Insurance Commissioner and the Human Relations Commission concurrent jurisdiction in matters of alleged discrimination on the basis of race, creed, color or national origin; and specifying certain rights of the Human Relations Commission in certain actions before the Insurance Commissioner.

BY repealing and reenacting, with amendments,

Article 48A - Insurance Code
Section 25
Annotated Code of Maryland
(1979 Replacement Volume and 1985 Supplement)

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

Article 48A - Insurance Code

25.

(1) The Commissioner may institute such suits or other legal proceedings as may be required for the enforcement of any provisions of this article. If the Commissioner has reason to believe that any person has violated any provision of this article for which criminal prosecution is provided, he shall so inform the State's attorney of the county or of Baltimore City either where the person resides or the violation occurred. If there is a violation of any provision of this article which is statewide in nature and which has no local situs within the State the violation shall be referred to the Attorney General for prosecution.

(2) The Commissioner may prosecute an action in any court of proper venue to enforce any order made by him pursuant to the provisions of this article.

(3) The Commissioner shall be represented by the Attorney General, his assistants, or by such other attorney at law as may be designated by the Attorney General.

(4) (A) NOTWITHSTANDING ANY OTHER PROVISION OF LAW, THE COMMISSIONER SHALL HAVE EXCLUSIVE JURISDICTION TO ENFORCE BY ADMINISTRATIVE ACTION THE LAWS OF THE STATE AS THEY RELATE TO THE