

WILLIAM DONALD SCHAEFER, Governor

(c) (1) Except as provided in this subsection, an agent may not solicit or take application or negotiate, procure or make any insurance for which that agent does not then possess a valid appointment.

(2) An agent may, without an appointment, submit to an insurer an informal inquiry for any kind of life insurance, health insurance, or annuity for which the agent has a valid and effective certificate of qualification if the insurer has a valid and effective certificate of authority under this article for the kind of insurance with respect to which the inquiry is made.

(3) An agent may, without an appointment, solicit an application for any kind of life insurance, health insurance, or annuity for which the agent has a valid and effective certificate of qualification if the insurer to which the application is submitted has a valid and effective certificate of authority under this article for the kind of insurance requested in the application.

(4) Within 30 days from receipt by an insurer of an application for life insurance, health insurance, or an annuity from an agent who does not hold a valid appointment from the insurer, the insurer shall either reject the application in accordance with § 234A of this article or file a written notice of appointment with the Commissioner under § 169 of this article.

(d) No commission, fee, reward, rebate or other consideration for procuring or influencing the procurement of any insurance shall be paid, directly or indirectly, to any person who is not then qualified under this subtitle, except as to the kinds of insurance, types of insurers and transactions exempted from the provisions of this subtitle by §§ 165 and 171; provided, however, that in the case of life insurance and health insurance the provisions of this section shall not prevent the payment or receipt of commissions on renewal premiums on existing policies or other deferred commissions to or by any person solely because that person has ceased to be qualified to act as agent, or broker except as otherwise provided by this article.

(e) Any person who violates any provision of this section shall be guilty of a misdemeanor, and upon conviction shall be subject to a fine of not more than \$500, or imprisonment for not more than 6 months, or both, for each violation.

(f) This subtitle does not apply to any person employed by an insured to administer or assist in the administration of the insurance or risk management program of his employer, or to a licensed insurance adviser while employed under contract by an insured and acting on behalf of the insured, provided that such persons are not authorized to accept any compensation from any agent, broker or insurer, or to attorneys at law of this State OR