

(D) ISSUANCE OF RENEWAL; REFUSAL TO RENEW.

(1) THE COMMISSIONER SHALL RENEW THE LICENSE OF EACH LICENSEE WHO MEETS THE REQUIREMENTS OF THIS SECTION.

(2) IF A LICENSEE FILES AN APPLICATION FOR RENEWAL BEFORE THE LICENSE EXPIRES, THE LICENSE SHALL REMAIN IN EFFECT UNTIL:

(I) THE COMMISSIONER ISSUES A RENEWAL LICENSE; OR

(II) 5 DAYS AFTER THE COMMISSIONER REFUSES TO RENEW THE LICENSE AND GIVES NOTICE OF THE REFUSAL TO THE LICENSEE.

REVISOR'S NOTE: Subsections (a), (c)(2), (3), (4), and (5), and (d)(2) of this section are new language derived without substantive change from former Art. 48A, § 182(h), the second sentence of (e) and, as it related to renewal, the first sentence, the fourth sentence of (f), (g), as it related to renewal of licenses, and the first sentence of (i), as it related to renewal of licenses.

Subsection (b) of this section, which provides for renewal notice, is new language added to conform to the current practice of the Commissioner and to similar provisions governing other State regulated occupations.

Subsection (c)(1) of this section is new language added to state expressly that which only was implied in the former law, i.e., to renew a license the licensee must otherwise be entitled to a license.

Subsection (d)(1) of this section is standard language added to state expressly that which only was implied in the former law, i.e., the Commissioner has the duty to renew the license of a qualified licensee.

In subsection (c)(2) of this section, the former reference to a "written" application is deleted as unnecessary because the application must be "on the form that the Commissioner provides". Similarly, the former word "supplements" is deleted as unnecessary since the authority to require a supplement is implicit in the authority to require use of a form. Similarly, the requirement that the application "contain such information as [the Commissioner] may require" is deleted as implicit in the requirement that the application be "on the form that the Commissioner provides".

In subsection (d)(2) of this section, the former phrase "before January first of the licensing year" is deleted as unnecessary in light of the phrase "before the license expires".

The Insurance Article Review Committee notes, for the consideration of the General Assembly, that the fees charged under (c)(3)(i) of this section to applicants who are not residents of this State are often less than the fees charged to residents.