

(2) EXCEPT AS PROVIDED IN SUBSECTION (B) OF THIS SECTION, A LIFE INSURANCE OR HEALTH INSURANCE CONTRACT MAY NOT BE MADE OR PUT INTO EFFECT UNLESS AT THE TIME OF MAKING THE CONTRACT THE INDIVIDUAL TO BE INSURED:

(I) IS OF COMPETENT LEGAL CAPACITY TO CONTRACT; AND

(II) APPLIES FOR OR CONSENTS IN WRITING TO THE CONTRACT.

(B) EXCEPTIONS.

(1) A SPOUSE MAY PUT INTO EFFECT LIFE INSURANCE OR HEALTH INSURANCE ON THE OTHER SPOUSE.

(2) A PERSON WITH AN INSURABLE INTEREST IN THE LIFE OF A MINOR, OR A PERSON ON WHOM THE MINOR IS DEPENDENT FOR SUPPORT AND MAINTENANCE, MAY PUT INTO EFFECT LIFE INSURANCE ON OR INSURANCE RELATING TO THE MINOR.

(3) A FAMILY POLICY THAT INSURES TWO OR MORE FAMILY MEMBERS MAY BE ISSUED ON AN APPLICATION SIGNED BY A PARENT, STEPPARENT, HUSBAND, OR WIFE.

(4) A PERSON WITH AN INSURABLE INTEREST IN THE LIFE OF A PERSON WHO LACKS THE LEGAL CAPACITY TO CONSENT TO LIFE INSURANCE MAY, ON WRITTEN APPLICATION, PUT INTO EFFECT LIFE INSURANCE ON THAT PERSON.

(C) AGREEMENTS TO ISSUE OTHER POLICIES OR AMEND APPLICATIONS.

(1) IF AN AGREEMENT IN AN APPLICATION FOR A LIFE INSURANCE OR HEALTH INSURANCE CONTRACT AUTHORIZES THE INSURER TO ISSUE A POLICY OTHER THAN THAT APPLIED FOR OR TO AMEND THE APPLICATION, THE AGREEMENT MUST CONTAIN SUBSTANTIALLY THE FOLLOWING LANGUAGE: "EXCEPT THAT NO CHANGE IN AMOUNT, CLASSIFICATION, PLAN OF INSURANCE, OR BENEFITS MAY TAKE EFFECT UNLESS AGREED TO IN WRITING BY THE APPLICANT".

(2) RATIFICATION OF AN AMENDMENT UNDER PARAGRAPH (1) OF THIS SUBSECTION IS MADE BY THE APPLICANT'S ACCEPTANCE OF THE AMENDED CONTRACT.

REVISOR'S NOTE: This section is new language derived without substantive change from former Art. 48A, § 371.

In subsection (b)(4) of this section, the reference to a person who "lacks ... legal capacity" is substituted for the former reference to a person who "is legally incompetent" to conform to terminology used in subsection (a)(2)(i) of this section.

In subsection (c)(1) of this section, the reference to an application for a "life insurance or health insurance" contract is added to clarify that subsection (c) of this section covers applications for life or health insurance.