

Also in subsection (a) of this section, the former reference to "giv[ing] full acquittance therefor" is deleted as unnecessary in light of subsection (b) of this section, which allows the insurer to be discharged from all claims under the policy or contract.

Defined terms: "Annuity contract" § 1-101

"Health insurance" § 1-101

"Insurer" § 1-101

"Life insurance" § 1-101

"Person" § 1-101

"Policy" § 1-101

#### 12-209. PROHIBITED PROVISIONS IN POLICY OR CONTRACT.

A LIFE INSURANCE OR HEALTH INSURANCE POLICY OR ANNUITY CONTRACT MAY NOT BE DELIVERED OR ISSUED FOR DELIVERY IN THE STATE IF THE POLICY OR CONTRACT:

(1) STATES THAT THE POLICY OR CONTRACT IS TO BE CONSTRUED ACCORDING TO THE LAWS OF ANOTHER STATE OR COUNTRY;

(2) STATES THAT THE RIGHTS AND OBLIGATIONS OF THE INSURED OR OF A PERSON WITH A CLAIM UNDER THE POLICY OR CONTRACT ARE TO BE GOVERNED BY LAWS OTHER THAN THE LAWS OF THIS STATE;

(3) PROVIDES A PERIOD SHORTER THAN 3 YEARS WITHIN WHICH AN ACTION MAY BE BROUGHT ON THE POLICY OR CONTRACT;

(4) DEPRIVES THE COURTS OF THE STATE OF THE JURISDICTION OF ANY ACTION AGAINST THE INSURER;

(5) PROVIDES THAT THE AGENT WHO SOLICITS THE INSURANCE OR ANNUITY IS THE AGENT OF THE INSURED; OR

(6) MAKES THE ACTS OR REPRESENTATIONS OF THE AGENT WHO SOLICITS THE INSURANCE OR ANNUITY BINDING ON THE INSURED.

REVISOR'S NOTE: This section is new language derived without substantive change from former Art. 48A, § 377A.

In items (1) and (2) of this section, the references to a "policy" are added for consistency. Similarly, in item (3) of this section, the reference to a "contract" is added for consistency.

In items (3) and (4) of this section, the former reference to an action "at law or in equity" is deleted as obsolete.

In items (5) and (6) of this section, the reference to the "insured" is substituted for the former references to "the person covered under such contract" and "the person so covered" for brevity.