

THE COMMISSIONER SHALL BE REPRESENTED BY THE ATTORNEY GENERAL, AN ASSISTANT ATTORNEY GENERAL, OR ANOTHER ATTORNEY AT LAW DESIGNATED BY THE ATTORNEY GENERAL.

(C) REFERRAL FOR CRIMINAL PROSECUTION.

WHENEVER THE COMMISSIONER BELIEVES THAT A PERSON HAS COMMITTED A VIOLATION OF THIS ARTICLE FOR WHICH CRIMINAL PROSECUTION IS PROVIDED, THE COMMISSIONER SHALL REFER THE ALLEGED VIOLATION TO:

(1) THE STATE'S ATTORNEY FOR THE COUNTY WHERE THE VIOLATION ALLEGEDLY OCCURRED OR THE PERSON RESIDES; OR

(2) THE ATTORNEY GENERAL, IF THE ALLEGED VIOLATION IS STATEWIDE AND NOT LOCAL IN NATURE.

(D) FRAUDULENT CLAIMS.

(1) THE COMMISSIONER MAY INVESTIGATE ANY COMPLAINT THAT ALLEGES THAT A FRAUDULENT CLAIM HAS BEEN SUBMITTED TO AN INSURER.

(2) IF THE COMMISSIONER FINDS THAT A COMPLAINT HAS MERIT, THE COMMISSIONER MAY REFER THE COMPLAINT TO AN APPROPRIATE LAW ENFORCEMENT AUTHORITY, INCLUDING THE ATTORNEY GENERAL, FOR APPROPRIATE ACTION.

(E) ENFORCEMENT AFTER CERTIFICATE OR LICENSE IS SURRENDERED OR LAPSES.

THE COMMISSIONER MAY ENFORCE THE PROVISIONS OF THIS ARTICLE, AND MAY IMPOSE ANY PENALTY OR REMEDY AUTHORIZED BY THIS ARTICLE, AGAINST A PERSON THAT IS UNDER INVESTIGATION FOR OR CHARGED WITH A VIOLATION OF THIS ARTICLE EVEN IF, WHILE THE INVESTIGATION OR CHARGES ARE PENDING, THE PERSON'S CERTIFICATE OF AUTHORITY, CERTIFICATE OF QUALIFICATION, LICENSE, OR REGISTRATION IS SURRENDERED OR LAPSES BY OPERATION OF LAW.

REVISOR'S NOTE: This section is new language derived without substantive change from former Art. 48A, §§ 34A and 25(1), (2), and (3).

In subsection (a) of this section, the word "action" is substituted for the former phrase "such suits or other legal proceedings" for brevity and to conform to terminology used in other revised articles of the Code.

Also in subsection (a) of this section, the reference to a court "of competent jurisdiction" is substituted for the former reference to a court "of proper venue" for clarity.

In subsection (c)(1) of this section, the former reference to "Baltimore City" is deleted in light of the definition of "county". As to the definition of "county", see § 1-101 of this article.