

UNLESS A COPY OF EACH BINDER OR COVER NOTE HAS BEEN FILED WITH AND APPROVED BY THE COMMISSIONER, THE SURPLUS LINES BROKER, AS SOON AS REASONABLY POSSIBLE, SHALL GET THE POLICY FROM THE INSURER AND DELIVER IT TO THE INSURED TO REPLACE THE BINDER OR COVER NOTE PREVIOUSLY DELIVERED.

(C) CHANGE IN INSURER, PROPORTION OF RISK, OR COVERAGE.

A SURPLUS LINES BROKER PROMPTLY SHALL DELIVER TO THE INSURED AN APPROPRIATE SUBSTITUTE FOR OR ENDORSEMENT OF THE ORIGINAL BINDER OR COVER NOTE THAT ACCURATELY SHOWS THE CURRENT STATUS OF THE COVERAGE AND THE RESPONSIBLE INSURER IF, AFTER ISSUANCE AND DELIVERY OF THE ORIGINAL BINDER OR COVER NOTE, THERE IS A CHANGE IN:

- (1) THE IDENTITY OF THE INSURER;
- (2) THE PROPORTION OF THE DIRECT RISK ASSUMED BY AN INSURER;

OR

- (3) ANY OTHER MATERIAL ASPECT OF THE INSURANCE COVERAGE.

REVISOR'S NOTE: This section is new language derived without substantive change from former Art. 48A, § 191(a), (b), and (c).

Defined terms: "Commissioner" § 1-101

"Insurance" § 1-101

"Insurer" § 1-101

"Policy" § 1-101

"Surplus lines insurance" § 1-101

3-322. RECORDS.

(A) IN GENERAL.

EACH SURPLUS LINES BROKER SHALL KEEP SEPARATE RECORDS AND ACCOUNTS OF ALL BUSINESS TRANSACTED UNDER THE SURPLUS LINES BROKER'S CERTIFICATE OF QUALIFICATION, INCLUDING COPIES OF:

- (1) ANY DAILY REPORT MADE BY THE SURPLUS LINES BROKER; AND
- (2) EACH BINDER OR COVER NOTE DELIVERED BY THE SURPLUS LINES BROKER.

(B) PERIOD FOR KEEPING RECORDS.

THE RECORDS DESCRIBED BY SUBSECTION (A) OF THIS SECTION SHALL BE KEPT BY THE SURPLUS LINES BROKER FOR 3 YEARS AFTER THE ISSUANCE OF THE COVERAGE TO WHICH THE RECORD RELATES AND SHALL BE AVAILABLE AT ANY REASONABLE TIME DURING THAT PERIOD FOR EXAMINATION BY THE COMMISSIONER.

REVISOR'S NOTE: This section is new language derived without substantive change from former Art. 48A, § 193(a).