

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

In subsection (b) of this section, the reference to being "guilty of a misdemeanor" is added to state expressly that which only was implied in the former law by the reference to a "conviction". In this State, any crime that was not a felony at common law and has not been declared a felony by statute, is considered a misdemeanor. See State v. Carova, 278 Md. 483, 490 (1976), Bowser v. State, 136 Md. 342, 345 (1920), Williams v. State, 4 Md. App. 342, 347 (1968), and Dutton v. State, 123 Md. 373, 378 (1914).

Defined terms: "Person" § 1-101
 "Surplus lines insurance" § 1-101

3-327. SHORT TITLE.

THIS SUBTITLE IS THE SURPLUS LINES INSURANCE LAW.

REVISOR'S NOTE: This section is new language derived without substantive change from former Art. 48A, § 183.

Defined term: "Surplus lines insurance" § 1-101

TITLE 4. GENERAL REQUIREMENTS FOR INSURERS.

SUBTITLE 1. CERTIFICATES OF AUTHORITY.

4-101. CERTIFICATE OF AUTHORITY REQUIRED; EXCEPTIONS.

(A) IN GENERAL.

(1) EXCEPT AS OTHERWISE PROVIDED IN THIS ARTICLE, A PERSON MAY NOT ACT AS AN INSURER AND AN INSURER MAY NOT ENGAGE IN THE INSURANCE BUSINESS IN THE STATE UNLESS THE PERSON HAS A CERTIFICATE OF AUTHORITY ISSUED BY THE COMMISSIONER.

(2) AN INSURER MAY NOT HAVE OR MAINTAIN IN THIS STATE AN OFFICE, REPRESENTATIVE, OR OTHER FACILITY TO SOLICIT OR SERVICE ANY KIND OF INSURANCE IN ANOTHER STATE UNLESS THE INSURER IS THEN AUTHORIZED TO ENGAGE IN THE SAME KIND OF INSURANCE BUSINESS IN THIS STATE.

(B) EXCEPTIONS.

A CERTIFICATE OF AUTHORITY IS NOT REQUIRED FOR AN INSURER TO ENGAGE IN:

(1) TRANSACTIONS THAT RELATE TO POLICIES THAT WERE LAWFULLY WRITTEN IN THE STATE, OR THE LIQUIDATION OF ASSETS AND LIABILITIES OF THE INSURER, INCLUDING THE COLLECTION OF PREMIUMS ON EXISTING POLICIES, RESULTING FROM FORMER AUTHORIZED OPERATIONS OF THE INSURER IN THE STATE;