DISCOUNT, ABATEMENT, CREDIT, REDUCTION OF PREMIUM, SPECIAL FAVOR, ADVANTAGE, VALUABLE CONSIDERATION, OR INDUCEMENT DESCRIBED IN SUBSECTION (B) OF THIS SECTION.

(D) UNFAIR DISCRIMINATION.

(1) AN INSURER MAY NOT MAKE OR ALLOW UNFAIR DISCRIMINATION BETWEEN INSUREDS OR PROPERTIES HAVING LIKE INSURING OR RISK CHARACTERISTICS IN:

(I) THE PREMIUM OR RATES CHARGED FOR INSURANCE;

(II) THE DIVIDENDS OR OTHER BENEFITS PAYABLE ON THE INSURANCE; OR

(III) ANY OF THE OTHER TERMS OR CONDITIONS OF THE INSURANCE.

(2) NOTWITHSTANDING ANY OTHER PROVISION OF THIS SECTION, AN INSURER MAY NOT MAKE OR ALLOW A DIFFERENTIAL IN RATINGS, PREMIUM PAYMENTS, OR DIVIDENDS FOR A REASON BASED ON THE SEX, PHYSICAL HANDICAP, OR DISABILITY OF AN APPLICANT OR POLICYHOLDER UNLESS THERE IS ACTUARIAL JUSTIFICATION FOR THE DIFFERENTIAL.

(E) EFFECT OF SECTION.

THIS SECTION DOES NOT PROHIBIT AN INSURER FROM:

(1) PAYING COMMISSIONS OR OTHER COMPENSATION TO QUALIFIED AGENTS OR QUALIFIED BROKERS; OR

(2) ALLOWING OR RETURNING TO ITS PARTICIPATING POLICYHOLDERS, MEMBERS, OR SUBSCRIBERS LAWFUL DIVIDENDS, SAVINGS, OR UNABSORBED PREMIUM DEPOSITS.

REVISOR'S NOTE: This section is new language derived without substantive change from former Art. 48A, § 226.

Defined terms: "Agent" § 1–101
"Annuity" § 1–101
"Broker" § 1–101
"Commissioner" § 1–101
"Health insurance" § 1–101
"Insurance" § 1–101
"Insurer" § 1–101
"Life insurance" § 1–101
"Policy" § 1–101
"Premium" § 1–101
"Qualified agent" § 1–101
"Qualified broker" § 1–101