(1) THE PENALTIES IMPOSED UNDER THIS SECTION MAY BE IMPOSED SEPARATELY FROM AND CONSECUTIVELY TO OR CONCURRENTLY WITH A SENTENCE FOR ANOTHER OFFENSE BASED ON THE ACT THAT CONSTITUTES A VIOLATION OF THIS SUBTITLE.

(2) EACH ACT OF SOLICITATION UNDER § 27–407 OF THIS SUBTITLE CONSTITUTES A SEPARATE VIOLATION FOR PURPOSES OF THE PENALTIES IMPOSED UNDER THIS SECTION.

(3) NOTWITHSTANDING ANY OTHER PROVISION OF LAW, A FINE IMPOSED UNDER THIS SECTION IS MANDATORY AND NOT SUBJECT TO SUSPENSION.

REVISOR'S NOTE: This section is new language derived without substantive change from former Art. 48A, § 233(g) and (h).

Defined terms: "Claim" § 27–401
"Person" § 1–101

SUBTITLE 5. DISCRIMINATION.

27–501. DISCRIMINATION IN UNDERWRITING.

(A) IN GENERAL.

(1) AN INSURER, AGENT, OR BROKER MAY NOT CANCEL OR REFUSE TO UNDERWRITE OR RENEW A PARTICULAR INSURANCE RISK OR CLASS OF RISK FOR A REASON BASED WHOLLY OR PARTLY ON RACE, COLOR, CREED, SEX, OR BLINDNESS OF AN APPLICANT OR POLICYHOLDER OR FOR ANY ARBITRARY, CAPRICIOUS, OR UNFAIRLY DISCRIMINATORY REASON.

(2) AN INSURER, AGENT, OR BROKER MAY NOT CANCEL OR REFUSE TO UNDERWRITE OR RENEW A PARTICULAR INSURANCE RISK OR CLASS OF RISK EXCEPT BY THE APPLICATION OF STANDARDS THAT ARE REASONABLY RELATED TO THE INSURER'S ECONOMIC AND BUSINESS PURPOSES.

(B) SPECIAL CONDITIONS, FACTS, OR SITUATIONS PROHIBITED.

(1) AN INSURER MAY NOT REQUIRE SPECIAL CONDITIONS, FACTS, OR SITUATIONS AS A CONDITION TO ITS ACCEPTANCE OR RENEWAL OF A PARTICULAR INSURANCE RISK OR CLASS OF RISKS IN AN ARBITRARY, CAPRICIOUS, UNFAIR, OR DISCRIMINATORY MANNER BASED WHOLLY OR PARTLY ON RACE, CREED, COLOR, SEX, RELIGION, NATIONAL ORIGIN, PLACE OF RESIDENCY, BLINDNESS, OR OTHER PHYSICAL HANDICAP OR DISABILITY.

(2) ACTUARIAL JUSTIFICATION MAY BE CONSIDERED WITH RESPECT TO SEX.

(C) PROHIBITED INQUIRIES.