

(III) STATES WHEN, WITHIN A REASONABLE PERIOD BUT NOT LESS THAN 10 DAYS AFTER THE HEARING, THE ORDER SHALL BE EFFECTIVE.

(F) INFORMATION CONFIDENTIAL.

(1) ANY INFORMATION OR TESTIMONY PROVIDED BY A SURETY INSURER PURSUANT TO A COMPLAINT UNDER THIS SECTION IS PRIVILEGED AND CONFIDENTIAL.

(2) THERE IS NO LIABILITY ON THE PART OF AND NO CAUSE OF ACTION AGAINST A SURETY INSURER, ITS REPRESENTATIVES, OR ANOTHER PERSON WHO IN GOOD FAITH PROVIDES TO THE SURETY INSURER INFORMATION OR TESTIMONY THAT RELATES TO THE COMPLAINT.

(G) FINE.

IF THE COMMISSIONER FINDS THAT A SURETY INSURER HAS WILLFULLY VIOLATED THIS SECTION, THE COMMISSIONER MAY IMPOSE A FINE ON THE SURETY INSURER IN ACCORDANCE WITH § 1-301 OF THIS ARTICLE.

(H) ORDER TO WRITE BOND.

INSTEAD OF THE FINE PROVIDED IN SUBSECTION (G) OF THIS SECTION, THE COMMISSIONER MAY ORDER THE SURETY INSURER TO WRITE THE BOND IF, AT THE HEARING, THE COMMISSIONER FINDS BY A PREPONDERANCE OF THE EVIDENCE THAT THE VIOLATION OF SUBSECTION (A) OR (B) OF THIS SECTION WAS KNOWING AND WILLFUL AND WAS THE BASIS FOR THE SURETY INSURER'S ACTION.

REVISOR'S NOTE: This section is new language derived without substantive change from former Art. 48A, § 234AA(a) through (e)(1) and (f) through (h).

Throughout this section, the term "surety insurer" is substituted for the former references to "surety" and "insurer" to clarify the type of insurer to which this section applies and for consistency with terminology used throughout this article.

In subsection (a) of this section, the former phrase "as defined in § 69 of this article", which modified "surety bond", is deleted for accuracy. Former Art. 48A, § 69 defined "surety insurance" and is revised in § 1-101 of this article.

In subsection (c) of this section, the reference to "requesting" general information is added for clarity.

In subsection (d) of this section, the reference to an "applicant" is added for clarity in light of the reference to "refus[ing] to issue" a surety bond.

In subsection (e)(1) of this section, the phrase "after the occurrence giving rise to the complaint" is added for clarity.

In subsection (e)(6)(ii) of this section, the former phrase "if appropriate" is deleted as implicit in the reference to an "appropriate order" in the introductory language of subsection (e)(6) of this section. Similarly, in subsection (h) of this section, the former phrase "if appropriate" is deleted as