

(C) CAPITAL STOCK, ASSETS, OR COMMON MANAGEMENT.

AN INSURER MAY NOT ACQUIRE OR RETAIN THE CAPITAL STOCK OR ASSETS OF, OR HAVE ANY COMMON MANAGEMENT WITH, ANOTHER INSURER IF THE ACQUISITION, RETENTION, OR COMMON MANAGEMENT SUBSTANTIALLY LESSENS COMPETITION IN THE BUSINESS OF A KIND OF INSURANCE, SUBDIVISION, OR CLASS OF INSURANCE.

(D) INTERFERENCE WITH INDEPENDENT RATE-MAKING.

A RATING ORGANIZATION OR MEMBER OR SUBSCRIBER OF A RATING ORGANIZATION MAY NOT INTERFERE WITH THE RIGHT OF AN INSURER TO MAKE ITS RATES INDEPENDENTLY OF THE RATING ORGANIZATION OR TO CHARGE DIFFERENT RATES FROM THE RATES MADE BY THE RATING ORGANIZATION.

(E) PROHIBITED RULES, AGREEMENTS, AND PROGRAMS.

A RATING ORGANIZATION MAY NOT ADOPT A RULE, REQUIRE AN AGREEMENT, OR FORMULATE OR ENGAGE IN A PROGRAM THAT WOULD REQUIRE A MEMBER, SUBSCRIBER, OR INSURER TO:

(1) USE SOME OR ALL OF ITS SERVICES;

(2) ADHERE TO ITS RATES, RATING PLAN, RATING SYSTEMS, UNDERWRITING RULES, OR POLICY FORMS; OR

(3) PREVENT AN INSURER FROM ACTING INDEPENDENTLY.

(F) DISAPPROVAL OF RATES IN VIOLATION OF SECTION; PENALTIES.

(1) THE COMMISSIONER SHALL DISAPPROVE A RATE IN VIOLATION OF THIS SECTION IN ACCORDANCE WITH THE PROCEDURES REQUIRED BY § 11-308(A) OF THIS SUBTITLE.

(2) A PERSON THAT VIOLATES THIS SECTION IS SUBJECT TO THE PENALTIES PROVIDED IN § 11-344 OF THIS SUBTITLE.

(G) INJUNCTION AUTHORIZED.

THE COMMISSIONER MAY MAINTAIN AN ACTION TO ENJOIN A VIOLATION OF THIS SECTION.

REVISOR'S NOTE: This section is new language derived without substantive change from former Art. 48A, §§ 244M, 244N, and 244-O.

Defined terms: "Commissioner" § 1-101

"Control" § 1-101

"Insurance" § 1-101

"Insurer" § 1-101

"Person" § 1-101

"Policy" § 1-101

"Rate" § 11-101

"Rating organization" § 11-101