

determination that cannot be stayed by a demand for a hearing; making this Act an emergency measure; and generally relating to final determinations of the Insurance Commissioner.

BY repealing and reenacting, with amendments,

Article - Insurance

Section 2-212

Annotated Code of Maryland

(1997 Volume and 1998 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows:

**Article - Insurance**

2-212.

(a) (1) Except as provided in paragraph (2) of this subsection, a demand for a hearing stays an order of the Commissioner pending the hearing and an order resulting from it if the Commissioner receives the demand:

- (i) before the effective date of the order; or
- (ii) within 10 days after the order is served.

(2) Paragraph (1) of this subsection does not apply to an action taken or proposed under an order:

- (i) resulting from a hearing; [or]

(II) RESULTING FROM A FINAL DECISION OF THE INSURANCE COMMISSIONER ON A COMPLAINT IN AN EMERGENCY CASE UNDER ~~§ 15-10A-03~~ § 15-10A-04 OF THIS ARTICLE; OR

[(ii)](III) based on impairment of assets or unsound financial condition of an insurer.

(b) If the Commissioner does not grant a written request for a stay, the aggrieved person may apply to the Circuit Court for Baltimore City for a stay of the proposed action of the Commissioner.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act is an emergency measure, is necessary for the immediate preservation of the public health and safety, has been passed by a ye and nay vote supported by three-fifths of all the members elected to each of the two Houses of the General Assembly, and shall take effect from the date it is enacted.

Approved April 27, 1999.