

(d) Notwithstanding any other provision of this section, an insurer may not cancel or amend a written agreement with an [agent or broker] INSURANCE PRODUCER or refuse to accept business from the [agent or broker] INSURANCE PRODUCER if the cancellation, amendment, or refusal is arbitrary, capricious, unfair, or discriminatory or is based wholly or partly on the race, creed, color, sex, religion, national origin, or place of residency of the [agent or broker] INSURANCE PRODUCER or the applicants or policyholders of the [agent or broker] INSURANCE PRODUCER.

(e) If an insurer or [agent] INSURANCE PRODUCER that accepts [brokerage] business FROM AN INSURANCE PRODUCER ACTING ON BEHALF OF AN INSURED OR PROSPECTIVE INSURED rejects the business of [a broker] AN INSURANCE PRODUCER ACTING ON BEHALF OF AN INSURED OR PROSPECTIVE INSURED, the insurer or [agent] INSURANCE PRODUCER shall give to the Commissioner and the [broker] INSURANCE PRODUCER ACTING ON BEHALF OF AN INSURED OR PROSPECTIVE INSURED, on request of the [broker] THAT INSURANCE PRODUCER, the reasons for the rejection in writing.

(f) An insurer may not cancel or amend a written agreement with an [agent or broker] INSURANCE PRODUCER about property insurance or casualty insurance because of an adverse loss ratio experience on the [agent's or broker's] INSURANCE PRODUCER'S book of business if:

(1) the insurer required the [agent or broker] INSURANCE PRODUCER to submit the application for underwriting approval, all material information on the application was completed, and the [agent or broker] INSURANCE PRODUCER did not omit or alter any information provided by the applicant; or

(2) the insurer accepted, without prior approval, policies issued by the [agent or broker] INSURANCE PRODUCER, if all material information on the application for the policy or on the insurer's copy of any policy issued by the [agent or broker] INSURANCE PRODUCER was completed and the [agent or broker] INSURANCE PRODUCER did not omit or alter any information provided by the applicant.

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(c) (1) At least 45 days before the date of the proposed cancellation or expiration of the policy, the insurer shall cause to be sent to the insured, by certificate of mailing, a written notice of intention to cancel for a reason other than nonpayment of premium or notice of intention not to renew a policy issued in the State.

(2) Notice given to the insured by [a broker or agent] AN INSURANCE PRODUCER on behalf of the insurer is deemed to have been given by the insurer for purposes of this subsection.

(3) Notwithstanding paragraph (2) of this subsection, no notice is required under this section if the [agent or broker] INSURANCE PRODUCER has replaced the insurance.