

(3) AN INSURER WHOSE ANTIFRAUD PLAN HAS BEEN DISAPPROVED BY THE COMMISSIONER SHALL SUBMIT A NEW PLAN TO THE COMMISSIONER WITHIN 60 DAYS AFTER THE DATE THE PLAN WAS DISAPPROVED.

(4) IT IS A VIOLATION OF THIS SECTION IF THE COMMISSIONER FINDS THAT AN ANTIFRAUD PLAN SUBMITTED UNDER SUBSECTION (D)(3) OF THIS SECTION DOES NOT COMPLY WITH THE PROVISIONS OF THIS SECTION.

(5) DURING THE COURSE OF AN EXAMINATION CONDUCTED PURSUANT TO § 30 OF THIS ARTICLE, THE COMMISSIONER ~~MAY~~ SHALL EXAMINE THE INSURER'S PROCEDURES TO DETERMINE WHETHER THE INSURER IS COMPLYING WITH ITS ANTIFRAUD PLAN.

(E) THE COMMISSIONER MAY WITHHOLD FROM PUBLIC INSPECTION ANY PART OF AN INSURER'S ANTIFRAUD PLAN FOR SO LONG AS THE COMMISSIONER DEEMS THE WITHHOLDING TO BE IN THE PUBLIC INTEREST.

(F) THE PENALTY FOR A VIOLATION OF THIS SECTION SHALL BE AS PROVIDED IN §§ 12, 55, ~~55A, AND 215~~ AND 55A OF THIS ARTICLE.

Article — Courts and Judicial Proceedings

~~§ 330.1.~~

~~NO AUTHORIZED INSURER, ITS EMPLOYEES, PRODUCERS, AS THAT TERM IS DEFINED IN § 243L OF THIS ARTICLE, OR AGENTS WHEN ACTING WITHOUT MALICE, FRAUDULENT INTENT, OR BAD FAITH, SHALL BE LIABLE FOR DAMAGES IN A CIVIL ACTION BY VIRTUE OF THE FILING OF REPORTS REQUIRED UNDER ARTICLE 48A, § 233B(A) OF THE CODE.~~

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 1991.

Approved May 14, 1991.

CHAPTER 266

(House Bill 201)

AN ACT concerning

Insurance – Broker Controlled Insurers

FOR the purpose of prohibiting brokers from placing certain business with certain insurers under certain circumstances; requiring certain disclosures; providing for certain penalties; providing for periodic reports and certifications by independent casualty actuaries; providing for certain annual reports to the Commissioner;