

INSURANCE UNDER APPROVED CLASSIFICATIONS AND RATES OR, IN CASES WHERE CLASSIFICATIONS AND RATES ARE NOT SUBJECT TO APPROVAL, THE PREMIUMS AND CHARGES APPLICABLE TO THE INSURANCE AS SPECIFIED IN THE POLICY AND FIXED BY THE INSURER; AND

(6) MISAPPROPRIATE OR ~~FAIL TO MAKE PROPER DISPOSITION OF UNREASONABLY WITHHOLD~~ FUNDS RECEIVED OR HELD WHERE THE FUNDS REPRESENT PREMIUMS OR RETURN PREMIUMS.

(B) IT SHALL BE A FRAUDULENT INSURANCE ACT FOR AN INSURER DOING BUSINESS IN THIS STATE TO KNOWINGLY WRITE OR PLACE ANY POLICY OR CONTRACT OF INSURANCE IN THIS STATE THROUGH, OR PAY A COMMISSION OR OTHER CONSIDERATION TO, A PERSON WHO:

(1) IS REQUIRED TO HAVE A CERTIFICATE OF QUALIFICATION UNDER THIS ARTICLE; AND

(2) HAS NOT RECEIVED A CERTIFICATE OF QUALIFICATION UNDER THIS ARTICLE.

(C) (1) IT SHALL BE A FRAUDULENT INSURANCE ACT FOR A PERSON TO ACT AS OR HOLD THEMSELVES OUT TO BE AN INSURANCE AGENT, BROKER, OR ADJUSTER IN THIS STATE IF THE PERSON HAS NOT RECEIVED THE APPROPRIATE CERTIFICATE OF QUALIFICATION UNDER OR OTHERWISE COMPLIED WITH § 167 OF THIS ARTICLE.

(2) IT SHALL BE A FRAUDULENT INSURANCE ACT FOR AN AGENT OR BROKER TO:

(I) SOLICIT OR TAKE APPLICATION FOR, PROCURE, OR PLACE FOR OTHERS ANY INSURANCE FOR WHICH THE AGENT OR BROKER HAS NOT RECEIVED A CERTIFICATE OF QUALIFICATION;

(II) KNOWINGLY VIOLATE THE PROVISIONS OF § 167(D) OF THIS ARTICLE; OR

(III) INTENTIONALLY FAIL TO REPORT TO AN INSURER THE EXACT AMOUNT OF CONSIDERATION CHARGED AS PREMIUM FOR AN INSURANCE CONTRACT, IF DIFFERENT FROM THE POLICY PREMIUM, AND TO FAIL TO MAINTAIN RECORDS SHOWING THAT INFORMATION.

(D) IT SHALL BE A FRAUDULENT INSURANCE ACT FOR A PERSON TO:

(1) KNOWINGLY OR WILLFULLY MAKE ANY FALSE OR FRAUDULENT STATEMENT OR REPRESENTATION IN OR WITH REFERENCE TO ANY APPLICATION FOR INSURANCE;