

Title 31 MARYLAND INSURANCE ADMINISTRATION

Subtitle 03 INSURANCE PRODUCERS AND OTHER INSURANCE PROFESSIONALS

31.03.18 Public Adjusters

Authority: Insurance Article, §2-109, Annotated Code of Maryland

Notice of Proposed Action

[24-134-P]

The Acting Insurance Commissioner proposes to amend Regulation .02 and adopt new Regulation .17 under **COMAR 31.03.18 Public Adjusters**.

Statement of Purpose

The purpose of this action is to amend and add to **COMAR 31.03.18 Public Adjusters** to clarify requirements established in 2024 Maryland Laws Ch. 826. The regulation defines "business day" as it is used in the law, describes how the "the date of a loss giving rise to an insurance claim" shall be determined, and describes how a public adjuster shall notify the Insurance Commissioner that they entered into a contract for public adjuster services during or within 72 hours after a loss giving rise to an insurance claim, as required by the law.

Estimate of Economic Impact

The proposed action has no economic impact.

Economic Impact on Small Businesses

The proposed action has minimal or no economic impact on small businesses.

Impact on Individuals with Disabilities

The proposed action has no impact on individuals with disabilities.

Opportunity for Public Comment

Comments may be sent to Jessica Blackmon, Administrative Law Clerk, Maryland Insurance Administration, 200 Saint Paul Place Suite 2700, Baltimore, MD 21202, or call 410-468-2019, or email to insuranceregreview.mia@maryland.gov. Comments will be accepted through November 18, 2024. A public hearing has not been scheduled.

.02 Definitions.

- A. (text unchanged)
- B. Terms Defined.

(1) "Administration" means the Maryland Insurance Administration.

[(1)] (2) – [(17)] (18) (text unchanged)

.17 Protections after Loss or Damage to Property.

A. The term "business day", as it is used in Insurance Article, §§10-411(h) and 10-414(f), Annotated Code of Maryland means any day other than a Saturday, Sunday, or State holiday.

B. In enforcing Insurance Article, §10-414(f), Annotated Code of Maryland, the Commissioner shall determine the date of a loss giving rise to an insurance claim as follows:

(1) If the insurance claim resulted from a hurricane, then the date of loss giving rise to the insurance claim is the date that the hurricane made landfall in the State of Maryland;

(2) If the insurance claim resulted from a tornado, windstorm, severe rain, or other weather-related event that is not a hurricane, then the date of loss giving rise to the insurance claim is the date that the tornado, windstorm, severe rain, or other weather-related event is verified to have occurred in Maryland by the National Oceanic and Atmospheric Administration; or

(3) If the insurance claim is not within the scope of §B(1) or (2) of this regulation, then the date of loss giving rise to the insurance claim is the date that the loss was discovered.

C. To comply with §10-414(f), a public adjuster who enters into a contract for public adjuster services during or within 72 hours after a loss giving rise to an insurance claim shall electronically submit the Public Adjuster Contract Submission Form that is published to the Administration's website, together with any attachments required therein, within one business day after entering into the contract.

JOY Y. HATCHETTE
Acting Insurance Commissioner

Subtitle 04 INSURERS

31.04.18 Form Filings Under the Maryland Insurance Acquisitions Disclosure and Control Act

Authority: Insurance Article, §§1-101(jj), 2-109, 2-205, 2-209, and 5-901—5-917, Annotated Code of Maryland

Notice of Proposed Action

[24-135-P]

The Acting Insurance Commissioner proposes to amend Regulation .02 and adopt new Regulation .15 under **COMAR 31.04.18 Form Filings Under Maryland Insurance Acquisitions Disclosure and Control Act**.

Statement of Purpose

The purpose of this action is to clarify reporting requirements established by 2024 Maryland Laws Ch. 121 (H.B. 252). The regulation clarifies when the ultimate controlling person of an insurance holding company system is required to submit an annual group capital calculation, may be exempt from submitting an annual group capital calculation, or may be permitted to submit a limited group capital filing in lieu of a group capital calculation.

Estimate of Economic Impact

The proposed action has no economic impact.

Economic Impact on Small Businesses

The proposed action has minimal or no economic impact on small businesses.

Impact on Individuals with Disabilities

The proposed action has no impact on individuals with disabilities.

Opportunity for Public Comment

Comments may be sent to Jessica Blackmon, Administrative Law Clerk, Maryland Insurance Administration, 200 Saint Paul Place, Suite 2700 Baltimore, MD 21202, or call 410-468-2019, or email to insuranceregreview.mia@maryland.gov. Comments will be accepted through November 18, 2024. A public hearing has not been scheduled.

.02 Definitions.

- A. (text unchanged)
 - B. Terms Defined.
- (1)—(13) (text unchanged)