

(b) *Within 14 calendar days after the form was mailed, the requesting person shall file the completed form and any supporting documentation.*

(4) *If it determines that the person is indigent, the Office shall grant the requested fee waiver or waivers.*

[F.] C. The Office [shall have the power to] *may modify or waive any time periods established by this chapter for good cause.*

**.07 [Penalty for] Failure to Pay Required Fees.**

A. [Failure to pay the] *Unless a waiver is granted under Regulation .06 of this chapter, failure to pay a required filing fee [or, if the fee waiver is requested, to provide documentation required in Regulation .06 of this chapter] may result in the dismissal of a [party's] person's request for a hearing.*

B. [Failure to pay the] *Unless a waiver is granted under Regulation .06 of this chapter, failure to pay a required subpoena processing fee [or, if a fee waiver is requested, to provide the documentation requested in Regulation .06 of this chapter] may result in a subpoena not being issued.*

**.08 [Refund of Filing Fee] Refunds of Fees.**

A. [Refund] *Refunds.*

(1) [If a party receives a favorable decision, the party shall receive a refund of the filing fee.] *Except as provided in §A(2) of this regulation, the Office shall refund a filing or subpoena processing fee if the person that paid the fee receives a favorable decision.*

(2) [Fees paid for subpoenas that have been issued may not be refunded.] *The Office shall not refund:*

(a) *Fees that were waived under Regulation .06 of this chapter; or*

(b) *Processing fees for subpoenas that were issued.*

[B. The Office shall process and mail a refund of the filing fee within 30 days.

C. A refund shall be processed when:]

B. *The Office shall process and mail a refund within 30 days after:*

(1) [A party] *The person that paid the fee receives a favorable decision [from the presiding administrative law judge];*

(2) *The presiding [administrative law judge signs a certification of] ALJ certifies the favorable decision; and*

(3) *The [party signs a form verifying the party's] person that paid the fee provides a correct mailing address and other information required by the Office.*

[D. If a party has received a filing fee waiver under Regulation .06 of this chapter, a refund may not be paid.]

THOMAS DEWBERRY  
Chief Administrative Law Judge

# Title 31 MARYLAND INSURANCE ADMINISTRATION

## Subtitle 04 INSURERS

### 31.04.22 Title Insurers

Authority: Insurance Article, §§2-108, 2-109, 10-121, and 10-128.1,  
Annotated Code of Maryland

#### Notice of Proposed Action

[19-219-P]

The Insurance Commissioner proposes to amend Regulations .03 and .04 under COMAR 31.04.22 Title Insurers.

#### Statement of Purpose

The purpose of this action is to amend COMAR 31.04.22.03 and .04 to bring regulations into alignment with Insurance Article, §10-121, Annotated Code of Maryland. The proposed amendments correct an outdated statutory reference, add a definition, and clarify that a licensed insurance producer is required to sign the certification under COMAR 31.04.22.04B(7).

#### Comparison to Federal Standards

There is no corresponding federal standard to this proposed action.

#### 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 Lisa Larson, Regulations Manager, Maryland Insurance Administration, 200 St. Paul Place, Suite 2700, Baltimore, MD 21202, or call 410-468-2007, or email to [insuranceregreview.mia@maryland.gov](mailto:insuranceregreview.mia@maryland.gov), or fax to 410-468-2020. Comments will be accepted through November 25, 2019. A public hearing has not been scheduled.

#### .03 Definitions.

A. (text unchanged)

B. Terms Defined.

(1) — (5) (text unchanged)

(6) *“Designated responsible licensed producer” means a licensed insurance producer who is:*

(a) *Responsible for the principal agent's compliance with insurance laws, rules, and regulations; and*

(b) *Listed as a designated or responsible licensed producer on:*

(i) *The principal agent's uniform business entity application; or*

(ii) *The Association/Responsible Individual Designation form filed with the Commissioner.*

[(6)] (7) — [(23)] (24) (text unchanged)

#### .04 Conducting an On-Site Review.

A. (text unchanged)

B. The on-site review required under §A of this regulation shall, at a minimum, include:

(1) — (6) (text unchanged)

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(7) Receipt of the written certification of the principal agent which shall contain:

(a) The printed name and signature of a designated [insurance] *responsible licensed producer or an attorney of the law firm who is a licensed title insurance producer, if the principal agent is a law firm as defined by Insurance Article, §10-125(a)(3), Annotated Code of Maryland* [who satisfies the qualifications set forth in §10-121(c)];

(b) The date the [principal agent signed the] certification was signed; and

(c) (text unchanged)

C. — E. (text unchanged)

ALFRED W. REDMER, JR.  
Insurance Commissioner

## Subtitle 06 TAXES AND FEES

### 31.06.04 Premium Tax—Required Filings, Payments, Penalties, and Interest

Authority: Insurance Article, §§2-109, 6-101—6-103, and 6-106—6-109, Annotated Code of Maryland

#### Notice of Proposed Action

[19-205-P]

The Insurance Commissioner proposes to amend Regulations .01—.03 under COMAR 31.06.04 Premium Tax—Required Filings, Payments, Penalties, and Interest.

#### Statement of Purpose

The purpose of this action is to amend COMAR 31.06 to clarify the required reports to be filed and the fees to be paid in accordance with statutory changes made during the 2019 legislative session. Ch. 598 (S.B. 239), Acts of 2019, amended Insurance Article, §6-102.1, Annotated Code of Maryland, and this action incorporates and clarifies these changes in the regulations.

#### Comparison to Federal Standards

There is no corresponding federal standard to this proposed action.

#### 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 Lisa Larson, Regulations Manager, Maryland Insurance Administration, 200 St. Paul Place, Suite 2700, Baltimore, MD 21202, or call 410-468-2007, or email to [insuranceregreview.mia@maryland.gov](mailto:insuranceregreview.mia@maryland.gov), or fax to 410-468-2020. Comments will be accepted through November 25, 2019. A public hearing has not been scheduled.

#### .01 Scope.

This chapter applies to any person who is subject to the taxation of premiums in the State under Insurance Article, [§6-101] §§6-101 and 6-102.1, Annotated Code of Maryland.

#### .02 Declaration of Estimated Tax and Quarterly Payments.

A. Each taxpayer subject to premium tax *under Insurance Article, §6-101, Annotated Code of Maryland*, shall declare an estimated annual tax if the taxpayer's total tax for the current tax year is reasonably expected to exceed \$1,000.

B.—E. (text unchanged)

#### .03 Final Report.

A. (text unchanged)

B. The Final Report of *premium taxes required under Insurance Article, §6-107, Annotated Code of Maryland*, shall contain:

(1)—(4) (text unchanged)

C. *On or before March 15 following the end of the tax year, the Assessment Form shall be filed to report the assessment amount pursuant to Insurance Article, §6-102.1, Annotated Code of Maryland, and shall contain:*

(1) *A report of the gross amount of all health and accident & health insurance premiums written during the preceding calendar year;*

(2) *An itemization of allowed excluded premiums during the preceding calendar year;*

(3) *A calculation of the assessment; and*

(4) *Any other information or documentation required by the Commissioner.*

[C.] D. Remittance.

(1) The taxpayer shall remit *the following* with the Final Report required by §B of this regulation:

(a)—(b) (text unchanged)

(2)—(3) (text unchanged)

(4) *An entity subject to assessment pursuant to Insurance Article, §6-102.1, Annotated Code of Maryland, shall remit the assessment amount due with the Assessment Form as required by §C of this regulation.*

(5) *The payment of premium taxes as required by §D(1) of this regulation and the payment of the assessment as required by §D(4) of this regulation shall be remitted separately and not combined in one remittance.*

(6) *A managed care organization may remit quarterly payments of the assessment required by Insurance Article, §6-102.1, Annotated Code of Maryland, equal to at least 25 percent of the assessment due on or before March 15, June 15, September 15, and December 15.*

ALFRED W. REDMER, JR.  
Insurance Commissioner