SENATE BILL 185

C4, J5 2lr0012 (PRE-FILED) By: Chair, Finance Committee (By Request - Departmental - Maryland Insurance Administration) Requested: October 4, 2021 Introduced and read first time: January 12, 2022 Assigned to: Finance Committee Report: Favorable with amendments Senate action: Adopted Read second time: February 1, 2022 CHAPTER AN ACT concerning Marvland Insurance Administration - Virtual Hearings FOR the purpose of requiring that hearings held by the Maryland Insurance Commissioner be considered open to the public if a member of the public can observe the hearing virtually through an electronic media platform; authorizing the Commissioner to direct that a hearing be held virtually, subject to certain limitations; and generally relating to virtual hearings held by the Maryland Insurance Commissioner. BY repealing and reenacting, with amendments, Article – Insurance Section 2–213 Annotated Code of Maryland (2017 Replacement Volume and 2021 Supplement) SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows: Article - Insurance 2-213.(a) Except as otherwise provided in this subsection, all hearings shall be (1)

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

<u>Underlining</u> indicates amendments to bill.

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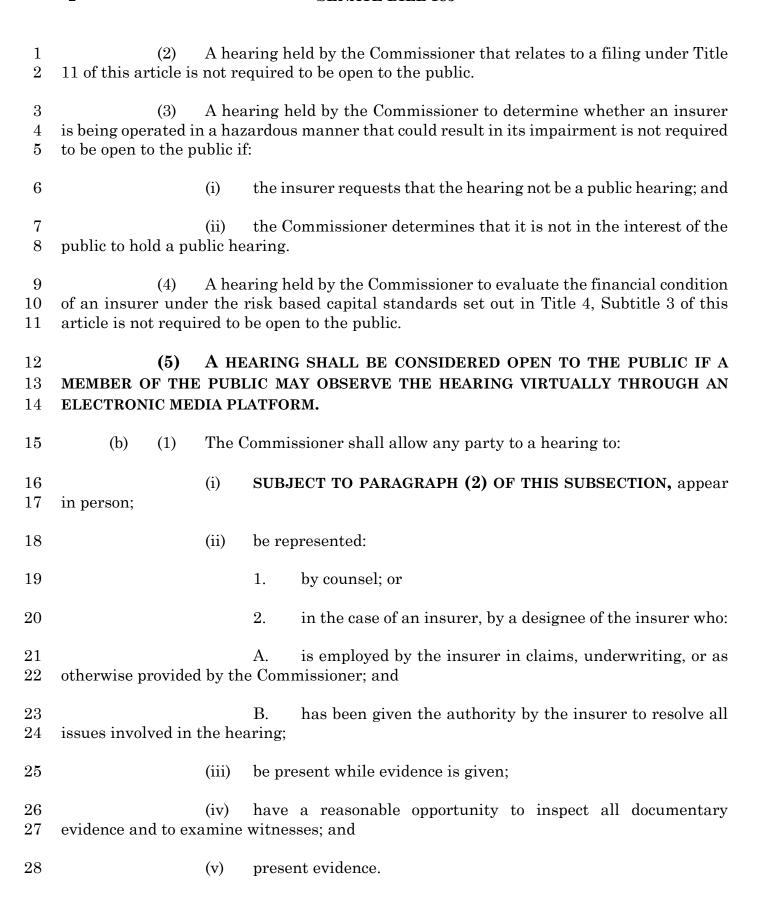
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Strike out indicates matter stricken from the bill by amendment or deleted from the law by amendment.

open to the public in accordance with § 8–505 of the State Government Article.





- 1 (2) (I) SUBJECT TO SUBPARAGRAPH (II) OF THIS PARAGRAPH, THE 2 COMMISSIONER MAY DIRECT THAT A HEARING BE HELD VIRTUALLY.
- 3 (II) THE COMMISSIONER MAY NOT REQUIRE A PARTY TO 4 PARTICIPATE VIRTUALLY IN A HEARING IF THE PARTY DEMONSTRATES THAT IT IS
- 5 UNABLE TO EXERCISE ANY OF THE RIGHTS UNDER PARAGRAPH (1)(II) THROUGH (V)
- 6 OF THIS SUBSECTION BY APPEARING VIRTUALLY.
- 7 (III) THE COMMISSIONER SHALL MAKE AVAILABLE TO THE
- 8 PARTIES TO A VIRTUAL HEARING A SPACE WITHIN THE OFFICE OF THE MARYLAND
- 9 INSURANCE ADMINISTRATION WITH ACCESS TO THE EQUIPMENT NECESSARY TO
- 10 ALLOW THE PARTIES TO PARTICIPATE IN THE VIRTUAL HEARING.
- 11 **[(2)] (3)** On request of a party, the Commissioner shall issue subpoenas 12 to compel attendance of witnesses or production of evidence on behalf of the party.
- 13 (c) The Commissioner shall allow any person that was not an original party to a 14 hearing to become a party by intervention if:
- 15 (1) the intervention is timely; and
- 16 (2) the financial interests of the person will be directly and immediately affected by an order of the Commissioner resulting from the hearing.
- 18 (d) Formal rules of pleading or evidence need not be observed at a hearing.
- 19 (e) (1) On timely written request by a party to a hearing, the Commissioner 20 shall have a full stenographic record of the proceedings made by a competent reporter at 21 the expense of that party.
- 22 (2) If the stenographic record is transcribed, a copy shall be given on 23 request to any other party to the hearing at the expense of that party.
- 24 (3) If the stenographic record is not made or transcribed, the Commissioner 25 shall prepare an adequate record of the evidence and proceedings.
- SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 2022.