

PLEASE NOTE: Legislative Information **cannot** perform research, provide legal advice, or interpret Maine law. For legal assistance, please contact a qualified attorney.

## An Act Regarding Insurance Licensees

Be it enacted by the People of the State of Maine as follows:

**Sec. 1. 24-A MRSA §601, sub-§32** is enacted to read:

**32. Surplus lines.** Surplus lines authority fees may not exceed:

A. Issuance fee for surplus lines authority, \$150.

**Sec. 2. 24-A MRSA §1417**, as amended by PL 2001, c. 259, §§19 to 21, is further amended to read:

### § 1417. Suspension; revocation; cancellation; refusal of license

**1. Suspension, revocation, probation, denial.** Notwithstanding Title 5, chapter 375, subchapter VI, the superintendent may, after notice and opportunity for hearing, deny, revoke, suspend, place on probation or limit the permissible activities under any license issued under this chapter, including business entity licenses, or any surplus lines broker license if the superintendent finds that, as to the applicant or licensee, any of the causes exist that are listed in section 1420-K, and that for purposes of this section apply to adjusters and consultants as well as producers.

**1-A. Nonresident licensing, loss of home state authority.** The superintendent may verify the home state license status of any nonresident licensee through the producer database maintained by the National Association of Insurance Commissioners, its affiliates or subsidiaries or any successor, or by contacting the licensee's home state regulator. If a nonresident licensee's license or authority in the licensee's home state is no longer active, whether as a result of suspension, revocation, termination, lapse, voluntary surrender or other action by the home state regulator, the superintendent may cancel the nonresident licensee's license or authority granted pursuant to section 1420-G, section 1427-A, subsection 1 or section 1477 30 days after the final action taken with respect to the home state license.

**3. Voluntary surrender.** The superintendent may, after notice and opportunity for a hearing under this section, deem the license suspended or revoked of a previously licensed person who voluntarily surrendered an insurance license.

**Sec. 3. 24-A MRSA §1476, sub-§1**, as enacted by PL 1997, c. 592, §43, is amended to read:

**1. Solicitation.** An adjuster seeking to provide adjusting services to an insured for a fee to be paid by the insured may not solicit or offer an adjustment services contract to any person for at least 36 hours after an accident or occurrence as a result of which the person might have a potential claim.

## SUMMARY

This bill provides a fee of \$150 for surplus lines authority. It authorizes the Superintendent of Insurance to cancel the Maine license or authority of a nonresident insurance licensee subject to the Maine Revised Statutes, Title 24-A, chapter 16. Such a cancellation applies to a nonresident licensee only in the event that the licensee's license authority in the licensee's home state is no longer active and the Maine license has been granted on a reciprocal basis. It removes language that prohibits an adjuster seeking to provide adjusting services to an insured for a fee to be paid by the insured from soliciting an adjustment services contract to any person for at least 36 hours after an accident or occurrence as a result of which the person might have a potential claim.