

CHAPTER 102
FORMERLY
SENATE BILL NO. 44
AS AMENDED BY
SENATE AMENDMENT NO. 1

AN ACT TO AMEND TITLE 18 OF THE DELAWARE CODE RELATING TO INSURANCE AND PREMIUM REPORTING.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF DELAWARE:

Section 1. Amend Section 705(a), Title 18, of the Delaware Code by making deletions as shown by strike through and insertions as shown by underlining as follows:

§ 705. Reporting by insurers of gross premiums and payments to fire companies based thereon.

(a) Every insurance company receiving premiums for covering risks of loss on any real or personal property within the limits of this State from fire, ~~extended coverage~~, other allied lines, ~~homeowner (package policy)~~ homeowners multiple peril, commercial multiple peril (non-liability portion), ~~growing crops multiple peril crop~~, farmowners multiple peril, Federal flood, ocean marine, inland marine, earthquake, private passenger automobile physical damage, commercial automobile physical damage and aircraft ~~physical damage (all perils)~~ shall annually, at the same time that such company files its annual report as required by law, deliver to the Insurance Commissioner a full detailed statement of the amount of gross premiums of all such business done by such a company in the City of Wilmington, in the County of New Castle outside the City of Wilmington, in Kent County and in Sussex County, less return and reinsurance premiums received from other companies or by any agent or agents of such company, in cash or otherwise, for the year ending on the previous 31st day of December, including therein an allocation of the portion of the gross premiums coverage allocable to each of the above areas. This statement shall be verified by the oath or affirmation of the insurance company's president or vice-president and secretary or other officer, and the statement shall be on a form prepared and furnished by the Insurance Commissioner for that purpose. The Insurance Commissioner shall have the power and authority to request and receive additional information regarding any insurance company's business of covering the types of risks of loss stated in this subsection. Failure to give the Insurance Commissioner the requested information shall be good cause, under § 520 of this title, for revocation of any certificate of authority of any insurance company so ignoring the request.

Section 2. Amend Section 3109(a), Title 18, of the Delaware Code by making deletions as shown by strike through and insertions as shown by underlining as follows:

§ 3109. Requirements for other groups; out-of-state groups.

(a) Group life insurance offered to a resident of this State under a group ~~health life~~ life insurance policy issued to a group other than those described in §§ 3102-3108 of this title shall be subject, where applicable, to the requirements of subsections (b)-(e) of this section.

Section 3. Amend Section 3574(b), Title 18, of the Delaware Code by making deletions as shown by strike through and insertions as shown by underlining as follows:

§ 3574. Renewability of coverage.

(b) A carrier that elects not to renew all its health benefit plans under paragraph ~~(a)(5)~~ (a)(7) of this section shall be prohibited from writing new business in the large group market in this State for a period of 5 years from the date of the discontinuation of the last health benefit plan not so renewed.

Section 4. Amend Section 4333(b), Title 18, of the Delaware Code by making deletions as shown by strike through and insertions as shown by underlining as follows:

§ 4333. Application for license as bail agent and licensure; nonresident bail agent.

(b) Before approving the application, the Commissioner shall find that the individual:

- (1) Is at least 18 years of age;
- (2) Has not committed any act that is a ground for denial, suspension or revocation set forth in this chapter and ~~§ 1721~~ §1712 of this title;
- (3) Has paid the fees set forth in Chapter 7 of this title;

(4) Has successfully passed the examinations for the lines of authority for which the person has applied, unless specifically exempted from such examination by this subchapter;

(5) Has identified a home state as a principal place of business;

(6) Has not been suspended or prohibited from acting as a bail agent by any court; and

(7) Has, in the case of a property bail agent, established that the individual is financially responsible pursuant to such rules and regulations as may be established by the Commissioner and provided such surety bond or deposit in lieu thereof as required by § 4336 of this title hereof.

Section 5. Amend Chapter 17, Title 18 of the Delaware Code by making insertions as shown by underlining and deletions as shown by strike through as follows:

§ 1706. Application for license.

(b) Each resident application shall further contain a statement of the applicant's criminal history, which the applicant shall obtain from the Delaware State Bureau of Identification pursuant to § 8513(a)(2) of Title 11. Each resident applicant and non-resident applicant that has declared Delaware to be his or her home state shall also provide a federal criminal history report from the Federal Bureau of Investigation.

§ 1722. Regulation of Adjusters and Appraisers. For all purposes of this Chapter, the following sections within this Chapter shall apply to adjusters and appraisers in the same manner in which they are applied to producers: Sections 1703-1713 and Sections 1717-1719.

Section 6. Amend Chapter 17, Title 18, of the Delaware Code by re-numbering current Sections 1722 and 1723 as Sections 1723 and 1724, respectively.

Approved July 15, 2013