

In subsection (b)(1), (3), and (6) of this section, the references to the property "to be insured" are added for clarity.

In subsection (b)(3) and (4) of this section, the references to a 3-year period and a 5-year period "immediately preceding the date of the antiarson application" are substituted for the former references to the "last" 3 years and "last" 5 years for clarity.

In subsection (b)(6) of this section, the term "property" is substituted for the former term "structure" for consistency within this section.

Defined terms: "Antiarson application" § 19-301

"Commissioner" § 1-101

"Insurance" § 1-101

19-306. ALTERNATIVE ANTIARSON APPLICATIONS.

(A) IN GENERAL.

THE COMMISSIONER MAY REQUIRE THE USE OF AN ALTERNATIVE ANTIARSON APPLICATION IF, AFTER A PUBLIC HEARING, THE COMMISSIONER FINDS THAT:

(1) THERE IS AN ABNORMALLY HIGH INCIDENCE OF ARSON IN PROPERTIES THAT ARE INSURED THROUGH A CERTAIN TYPE OF POLICY, ARE IN A CERTAIN CLASS OF PROPERTY, OR ARE LOCATED IN A CERTAIN GEOGRAPHIC AREA OF THE STATE; AND

(2) IN ACCORDANCE WITH THIS SUBTITLE, THE ANTIARSON APPLICATION DESCRIBED IN § 19-305 OF THIS SUBTITLE WAS IMPLEMENTED WITH RESPECT TO THAT TYPE OF POLICY, CLASS OF PROPERTY, OR GEOGRAPHIC AREA OF THE STATE.

(B) LIMITATION.

AN ALTERNATIVE ANTIARSON APPLICATION MAY BE MANDATED ONLY FOR THE TYPES OF POLICIES, TYPES OF OCCUPANCIES, AND GEOGRAPHIC AREAS OF THE STATE THAT OTHERWISE WOULD REQUIRE THE USE OF AN ANTIARSON APPLICATION UNDER THIS SUBTITLE.

REVISOR'S NOTE: This section is new language derived without substantive change from former Art. 48A, § 578(b) and, as it related to a public hearing, (a).

In the introductory language of subsection (a) of this section, the reference to the Commissioner requiring "the use of" an alternative antiarson application is added for clarity.

In subsection (a)(1) of this section, the reference to arson "in properties that are insured through" a certain type of policy, "are in a" certain class of property, or "are located in" a certain area is added for clarity.

In subsection (b) of this section, the reference to policies, occupancies, and areas that "otherwise would require the use of an antiarson application under"