

31A-28-210 Duties and powers of the commissioner.

- (1) In addition to the duties and powers enumerated elsewhere in this part, the commissioner shall:
- (a) notify the association of the existence of an insolvent insurer not later than three days after the commissioner receives notice of the order of liquidation; and
 - (b) upon request of the board of directors, provide the association with a statement of the premiums in this state for each member insurer.
- (2)
- (a) The commissioner may suspend or revoke, after notice and hearing, the certificate of authority to transact insurance in this state of any member insurer that fails:
 - (i) to pay an assessment when due; or
 - (ii) to comply with the plan of operation or the rules adopted under this part.
 - (b)
 - (i) As an alternative to an action described in Subsection (2)(a), the commissioner may levy a fine on any member insurer that fails to pay an assessment when due.
 - (ii) The fine permitted under this Subsection (2)(b) may not:
 - (A) exceed 5% of the unpaid assessment per month; or
 - (B) be less than \$100 per month.
 - (c) The commissioner may revoke the designation of any servicing facility if the commissioner finds claims are being handled unsatisfactorily.
- (3) Any final action or order of the commissioner under this part is subject to judicial review in a court of competent jurisdiction.

Amended by Chapter 363, 2001 General Session