

## **§ 1390. Violation of chapter; Penalties**

(a) Any person who willfully violates any provision of this chapter or of any rule or order thereunder shall upon conviction be fined not more than twenty thousand dollars (\$20,000) or imprisoned pursuant to subdivision (h) of Section 1170 of the Penal Code, or in a county jail for not more than one year, or be punished by both that fine and imprisonment, but no person may be imprisoned for the violation of any rule or order if it is proven that the person had no knowledge of the rule or order.

(b) Commencing January 1, 2028, and every five years thereafter, the fine amount specified in this section shall be adjusted based on the average rate of change in premium rates for the individual and small group markets, and weighted by enrollment, since the previous adjustment.

### **HISTORY:**

Added Stats 1975 ch 941 § 2, operative July 1, 1976. Amended Stats 1977 ch 165 § 3.5, effective June 29, 1977, operative July 1, 1977;

Stats 2011 ch 15 § 138 (AB 109), effective April 4, 2011, operative October 1, 2011; Stats 2022 ch 985 § 7 (SB 858), effective January 1, 2023.

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OTHER ENFORCEMENT PROCEDURES

§ 1391.5