

48A of the Annotated Code of Maryland (1969 Supplement), title "Insurance Code," subtitles "Unauthorized Insurers," "Rates and Rating Organizations," "Nonprofit Health Service Plans," and "Maryland Insurance Acquisitions Disclosure and Control Act," amending the insurance code laws of this State in order to make certain corrections in the language and references thereof.

SECTION 1. *Be it enacted by the General Assembly of Maryland,* That Sections 208(a), 243(n)(3), 243(n)(4)(i), 356, 495(j), 497, and 499 of Article 48A of the Annotated Code of Maryland (1969 Supplement), title "Insurance Code," subtitles "Unauthorized Insurers," "Rates and Rating Organizations," "Nonprofit Health Service Plans," and "Maryland Insurance Acquisitions Disclosure and Control Act," be and the same are hereby repealed and re-enacted, with amendments, to read as follows:

208.

~~(a) Except as to premiums on lawfully procured surplus (lines)~~
(A) EXCEPT AS TO PREMIUMS ON LAWFULLY PROCURED SURPLUS LINES insurance and premiums on independently procured insurance on which a tax has been paid pursuant to Section 209 of this article, every unauthorized insurer shall pay to the Commissioner before March 1 next succeeding the calendar year in which the insurance was so effectuated, continued or renewed a premium receipts tax of three percent (3%) of gross premiums charged for such insurance, other than wet marine and transportation insurance as defined in Section 70(2) of this article, on subjects resident, located or to be performed in this State. Such insurance on subjects resident, located or to be performed in this State procured through negotiations or an application, in whole or in part occurring or made within or from within or outside of this State, or for which premiums in whole or in part are remitted directly or indirectly from within or outside of this State, shall be deemed to be insurance procured or continued or renewed in this State. The term "premium" includes all premiums, membership fees, assessments, dues and any other consideration for insurance. Such tax shall be in lieu of all other Maryland taxes. On default of any such unauthorized insurer in the payment of such tax the insured shall pay the tax. If the tax prescribed by this section is not paid within the time stated, the tax shall be increased by a penalty of twenty-five percent (25%) and by the amount of an additional penalty computed at the rate of one percent per month or any part thereof from the date such payment was due to the date paid. The moneys paid into the Maryland State treasury from time to time under this section shall be placed in a special fund for the purposes of the Maryland Insurance Development Fund.

243(n).

(3) Every insurer undertaking to afford any insurance or coverage named in the first paragraph of this subsection, whether singly or in any combination, and every rating organization which files rates for such insurance shall cooperate in the preparation and submission of a plan to be known as Maryland automobile insurance plan for the equitable apportionment among insurers of applicants who are unable to procure such insurance through ordinary