

(I) INSURANCE COMPANIES PROHIBITED AS MEMBERS OR OWNERS.

UNLESS A RISK RETENTION GROUP IS COMPRISED ENTIRELY OF INSURANCE COMPANIES, THE RISK RETENTION GROUP MAY NOT CONDUCT BUSINESS IN THIS STATE IF AN INSURANCE COMPANY IS DIRECTLY OR INDIRECTLY A MEMBER OR OWNER OF THE RISK RETENTION GROUP.

(J) PROHIBITED COVERAGE.

A RISK RETENTION GROUP MAY NOT OFFER COVERAGE THAT IS PROHIBITED BY THIS ARTICLE OR DECLARED UNLAWFUL BY THE COURT OF APPEALS OF MARYLAND.

(K) VOLUNTARY DISSOLUTION OR DELINQUENCY PROCEEDINGS.

IF THERE HAS BEEN A FINDING OF FINANCIAL IMPAIRMENT AFTER AN EXAMINATION UNDER SUBSECTION (F) OF THIS SECTION, A RISK RETENTION GROUP THAT IS NOT CHARTERED IN THE STATE AND THAT IS DOING BUSINESS IN THE STATE SHALL COMPLY WITH A LAWFUL ORDER ISSUED IN A VOLUNTARY DISSOLUTION PROCEEDING OR IN A DELINQUENCY PROCEEDING COMMENCED BY AN INSURANCE COMMISSIONER OF A STATE.

REVISOR'S NOTE: This section is new language derived without substantive change from former Art. 48A, § 619.

In subsection (b)(1)(iii) of this section, the former reference to legal "documents" is deleted as unnecessary in light of the reference to legal "process".

In subsection (c)(3) of this section, the former reference to each "calendar" year is deleted as surplusage.

Subsection (e)(2) of this section is revised to authorize the Commissioner to seek an injunction from a court for clarity. The former reference to a court "of competent jurisdiction" is deleted as implicit.

In subsection (h)(1) of this section, the former phrase "[i]n addition to any other prohibition set forth in this subtitle" is deleted as surplusage.

Defined terms: "Commissioner" § 1-101

"Hazardous financial condition" § 25-101

"Insurance" § 25-101

"Liability" § 25-101

"Person" § 1-101

"Plan of operation or feasibility study" § 25-101

"Policy" § 1-101

"Premium" § 1-101

"Risk retention group" § 25-101

"State" § 25-101

25-104. INSURANCE INSOLVENCY GUARANTY FUNDS.

(A) JOINING OR RECEIVING BENEFITS FROM FUNDS PROHIBITED.