

Article 48A - Insurance Code
Section 243N
Annotated Code of Maryland
(1972 Replacement Volume and 1977 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That section(s) of the Annotated Code of Maryland be repealed, amended, or enacted to read as follows:

Article 48A - Insurance Code

243A.

(c) On or before October 15 of each year, the board of trustees shall determine the probable amount of money that, in its judgment, will be needed for the Fund to carry out its functions and meet its obligations in the next ensuing calendar year. If, in the board's judgment, the expected amount of money that will be available to the Fund during that next year from premiums and investments will be insufficient for those purposes, it shall determine the amount of estimated insufficiency and certify that amount to the Insurance Commissioner and the Industry Automobile Insurance Association. The association shall assess and collect from its member companies the amount of the certified estimated insufficiency, in accordance with § 243M, and shall [pay the amount of the insufficiency to the Fund on or before December 31 next following the date of certification] DEPOSIT THE AMOUNT OF THE INSUFFICIENCY ASSESSMENT INTO THE RESERVE FUND ESTABLISHED UNDER SECTION 243N ON OR BEFORE DECEMBER 31 NEXT FOLLOWING THE DATE OF CERTIFICATION.

243N.

(A) IN THIS SECTION, THE TERM "INSUFFICIENCY ASSESSMENT" MEANS ALL FUNDS COLLECTED BY THE INDUSTRY AUTOMOBILE INSURANCE ASSOCIATION UNDER SECTION 243M OF THIS ARTICLE, AND ANY GROSS SURPLUS RECOUPMENT.

(B) EACH MEMBER OF THE INDUSTRY AUTOMOBILE INSURANCE ASSOCIATION SHALL DEPOSIT WITH THE ASSOCIATION, ON OR BEFORE SEPTEMBER 1, 1978, ANY GROSS SURPLUS RECOUPMENT COLLECTED FROM POLICYHOLDERS ON ACCOUNT OF THE INSUFFICIENCY ASSESSMENT MADE FOR THE CALENDAR YEAR 1977, AND SHALL DEPOSIT WITH THE ASSOCIATION ANY GROSS SURPLUS RECOUPMENT RECEIVED BY SUCH MEMBER ON ACCOUNT OF ANY FUTURE INSUFFICIENCY ASSESSMENT NOT LATER THAN MARCH 15 OF THE CALENDAR YEAR FOLLOWING THE YEAR IN WHICH THE GROSS SURPLUS RECOUPMENT WAS RECEIVED.

(C) THE INDUSTRY AUTOMOBILE INSURANCE ASSOCIATION SHALL HOLD THE INSUFFICIENCY ASSESSMENT FUNDS IN TRUST IN A SEPARATE INTEREST-BEARING ACCOUNT IN A MARYLAND FINANCIAL INSTITUTION FOR THE USE OF THE MARYLAND AUTOMOBILE INSURANCE FUND, EXCEPT THAT IN THE ASSOCIATION'S DISCRETION, IT MAY