

M.I.G.A. - Workmen's Compensation Insolvency Fund

FOR the purpose of transferring the Workmen's Compensation Insolvency Fund from the Workmen's Compensation Article to the Maryland Insurance Guaranty Association subtitle of the Insurance Article; providing that this fund shall be administered through the appropriate account in the Maryland Insurance Guaranty Association; making this Act an emergency measure; and clarifying language.

BY repealing

Article 101 - Workmen's Compensation
Section 85 through 89, inclusive, and the subtitle
"Liability for Awards Against Insolvent
Insurers"
Annotated Code of Maryland
(1979 Replacement Volume and 1980 Supplement)

BY repealing and reenacting, with amendments,

Article 48A - Insurance Code
Section 504(b), 506, and 508(a)(3)
Annotated Code of Maryland
(1979 Replacement Volume and 1980 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 BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That section(s) of the Annotated Code of Maryland be repealed, amended, or enacted to read as follows: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 101 - Workmen's Compensation

[Liability for Awards Against Insolvent Insurers]

[85.]

Every insurer issuing workmen's compensation insurance in this State shall be liable to the extent and in the manner hereafter set forth for the payment of unpaid awards of workmen's compensation arising out of injuries sustained from and after June 1, 1967, while the employer was insured by an insurer and the insurer becomes insolvent. Upon the determination by the commissioner, or other competent authority of the state where the insurer is incorporated or organized, that the insurer is insolvent, the Commission shall thereupon and thereafter from time to time certify to the State Insurance Department the unpaid awards of workmen's compensation for such injuries outstanding against employers insured by this insurer and as to which it is liable. The Department shall thereupon make payment of the unpaid awards so far as funds are available at the times and in the amounts required by the awards, unless payment in a lesser number of installments is authorized by the Commission; and, if sufficient funds to make all of the payments due and payable are not available in any one year,