

malpractice insurance from insurers admitted to write such insurance in Maryland and that the lack of such insurance is hampering the practice of law in Maryland and thereby affecting the ability of the citizens of Maryland to obtain proper legal representation or services. Before making such a finding, the Commissioner shall consult with the officers and Board of Governors of the Maryland State Bar Association, Inc. and such other organizations as he deems appropriate.]

(B) (1) THE PROVISIONS OF THIS SUBTITLE SHALL BECOME EFFECTIVE 30 DAYS AFTER:

(I) THE COMMISSIONER RECEIVES A PETITION FROM THE MARYLAND STATE BAR ASSOCIATION, INC. REQUESTING THE ESTABLISHMENT OF THE SOCIETY; AND

(II) THE COMMISSIONER FINDS THAT A REASONABLE DEGREE OF COMPETITION DOES NOT EXIST IN THE STATE FOR LEGAL PROFESSIONAL LIABILITY INSURANCE UNDER SUBTITLE 16B OF THIS ARTICLE.

(2) IF THE COMMISSIONER HAS NOT ISSUED AN ORDER FINDING THAT A REASONABLE DEGREE OF COMPETITION DOES NOT EXIST FOR LEGAL PROFESSIONAL LIABILITY INSURANCE BEFORE RECEIVING THE PETITION REFERRED TO IN PARAGRAPH (1)(I) OF THIS SUBSECTION, A HEARING SHALL BE HELD WITHIN 10 DAYS OF RECEIPT OF THAT PETITION AND AN ORDER PASSED WITHIN 15 DAYS AFTER THE HEARING. IF THE COMMISSIONER FINDS THAT A REASONABLE DEGREE OF COMPETITION DOES NOT EXIST, THE PROVISIONS OF THIS SUBTITLE SHALL BECOME EFFECTIVE IMMEDIATELY ON THE DATE OF THE COMMISSIONER'S ORDER.

568.

(a) Subject to the provisions of § 567(b), a nonstock society is created to be known as the "Legal Mutual Liability Insurance Society of Maryland."

(b) Except as otherwise provided in this subtitle, the Society has all the power, privileges, and immunities granted by and is subject to the provisions imposed upon mutual insurers by this article and by the applicable provisions of the Corporations and Associations Article.

(c) The Society is not subject to the provisions of §§ 252, 253 or 268A of this article or § 6-505 of the Corporations and Associations Article.

(d) The Society is a member of the professional liability fund and the Maryland Insurance Guaranty Association.

(E) (1) THE SOCIETY IS NOT AND MAY NOT BE DEEMED A DEPARTMENT, UNIT, AGENCY, OR INSTRUMENTALITY OF THE STATE FOR ANY PURPOSE.