

(2) "ACQUISITION" MEANS ANY AGREEMENT, ARRANGEMENT OR ACTIVITY THE CONSUMMATION OF WHICH RESULTS IN A PERSON ACQUIRING DIRECTLY OR INDIRECTLY THE CONTROL OF ANOTHER PERSON, AND INCLUDES BUT IS NOT LIMITED TO THE ACQUISITION OF VOTING SECURITIES, THE ACQUISITION OF ASSETS, BULK REINSURANCE, AND MERGERS.

(3) "INVOLVED INSURER" INCLUDES AN INSURER WHICH EITHER ACQUIRES OR IS ACQUIRED, IS AFFILIATED WITH AN ACQUIRER OR ACQUIRED, OR IS THE RESULT OF A MERGER.

(B) (1) EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION, THIS SECTION APPLIES TO ANY ACQUISITION IN WHICH THERE IS A CHANGE IN CONTROL OF AN INSURER AUTHORIZED TO DO BUSINESS IN THIS STATE.

(2) THIS SECTION DOES NOT APPLY TO THE FOLLOWING:

(I) AN ACQUISITION SUBJECT TO APPROVAL OR DISAPPROVAL BY THE COMMISSIONER PURSUANT TO § 494 OF THIS ARTICLE;

(II) A PURCHASE OF SECURITIES SOLELY FOR INVESTMENT PURPOSES SO LONG AS SUCH SECURITIES ARE NOT USED FOR VOTING OR OTHERWISE TO CAUSE OR ATTEMPT TO CAUSE THE SUBSTANTIAL LESSENING OF COMPETITION IN ANY INSURANCE MARKET IN THIS STATE. IF A PURCHASE OF SECURITIES RESULTS IN A PRESUMPTION OF CONTROL UNDER § 492(C) OF THIS ARTICLE, IT IS NOT SOLELY FOR INVESTMENT PURPOSES UNLESS THE INSURANCE COMMISSIONER OF THE INSURER'S STATE OF DOMICILE ACCEPTS A DISCLAIMER OF CONTROL OR AFFIRMATIVELY FINDS THAT CONTROL DOES NOT EXIST AND SUCH DISCLAIMER ACTION OR AFFIRMATIVE FINDING IS COMMUNICATED BY THE DOMICILIARY COMMISSIONER TO THE MARYLAND INSURANCE COMMISSIONER;

(III) THE ACQUISITION OF A PERSON BY ANOTHER PERSON WHEN BOTH PERSONS ARE NEITHER DIRECTLY NOR THROUGH AFFILIATES PRIMARILY ENGAGED IN THE BUSINESS OF INSURANCE, IF PRE-ACQUISITION NOTIFICATION IS FILED WITH THE COMMISSIONER IN ACCORDANCE WITH § 494A(C)(1) OF THIS ARTICLE THIRTY (30) DAYS PRIOR TO THE PROPOSED EFFECTIVE DATE OF THE ACQUISITION. HOWEVER, SUCH PRE-ACQUISITION NOTIFICATION IS NOT REQUIRED FOR EXCLUSION FROM THIS SECTION IF THE ACQUISITION WOULD OTHERWISE BE EXCLUDED FROM THIS SECTION BY ANY OTHER SUBPARAGRAPH OF § 494A(B)(2) OF THIS ARTICLE;

(IV) THE ACQUISITION OF ALREADY AFFILIATED PERSONS;

(V) AN ACQUISITION IF, AS AN IMMEDIATE RESULT OF THE ACQUISITION:

1. IN NO MARKET WOULD THE COMBINED MARKET SHARE OF THE INVOLVED INSURERS EXCEED 5 PERCENT OF THE TOTAL MARKET;