

## Article 48A - Insurance Code

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(1) When by or pursuant to the laws of any other state or foreign country any taxes, licenses and other fees, in the aggregate, and any fines, penalties, deposit requirements or other material obligations, prohibitions or restrictions are or would be imposed upon Maryland insurers, or upon the agents or representatives of such insurers, which are in excess of such taxes, licenses and other fees, in the aggregate, or which are in excess of the fines, penalties, deposit requirements or other obligations, prohibitions, or restrictions directly imposed upon similar insurers, or upon the agents or representatives of such insurers, of such other state or country under the statutes of this State, so long as such laws of such other state or country continue in force or are so applied, the same taxes, licenses and other fees, in the aggregate, or fines, penalties or deposit requirements or other material obligations, prohibitions, or restrictions of whatever kind shall be imposed by the Commissioner upon the insurers, or upon the agents or representatives of such insurers, of such other state or country doing business or seeking to do business in Maryland. Any tax, license or other fee or other obligation imposed by any city, county, or other political subdivision or agency of such other state or country on Maryland insurers or their agents or representatives shall be deemed to be imposed by such state or country within the meaning of this section. All taxes imposed by this section that are not paid within 30 days after the Commissioner issues the notice of the amount due are subject to a penalty of 5 percent and interest at the rate determined under Article 81, § 204 of the Code for each month from the date of the notice that the tax was due.

(2) This section shall not apply as to personal income taxes, nor as to ad valorem taxes on real or personal property, nor as to special purpose obligations or assessments imposed by another state in connection with particular kinds of insurance other than property insurance, nor as to assessments imposed by insurance guaranty associations or similar organizations in another state; except that deductions, from premium taxes or other taxes otherwise payable, allowed on account of real estate or personal property taxes paid shall be taken into consideration by the Commissioner in determining the propriety and extent of retaliatory action under this section.

(3) For the purposes of this section and subject to the provisions of subsection (4) the domicile of an alien insurer, shall be that state in which is located his principal place of business in the United States.