

"premiums" are those for the calendar year preceding the determination of impairment.

(8) "Resident" means any person who resides in this State at the time the impairment is determined and to whom contractual obligations are owed.

525.

(1) There is created a PRIVATE nonprofit, [legal entity] NONSTOCK CORPORATION to be known as the [Maryland] Life and Health Insurance Guaranty [Association] CORPORATION. All member insurers shall be and remain members of the [Association] CORPORATION as a condition of their authority to transact insurance in this State. The [Association] CORPORATION shall perform its functions under the plan of operation established and approved under § 529 OF THIS SUBTITLE and shall exercise its powers through a board of directors established under § 526 OF THIS SUBTITLE. For purposes of administration and assessment, the [Association] CORPORATION shall maintain [three] 3 accounts:

- (a) The health insurance account;
- (b) The life insurance account; and
- (c) The annuity account.

(2) The [Association] CORPORATION shall come under the immediate supervision of the Commissioner and shall be subject to the applicable provisions of the insurance laws of this State.

(3) EXCEPT AS OTHERWISE PROVIDED IN THIS SUBTITLE, THE CORPORATION HAS ALL THE POWERS, PRIVILEGES, AND IMMUNITIES, INCLUDING PERPETUAL EXISTENCE, GRANTED BY THE APPLICABLE PROVISIONS OF THE CORPORATIONS AND ASSOCIATIONS ARTICLE.

(4) (A) THE CORPORATION IS NOT AND MAY NOT BE DEEMED A DEPARTMENT, UNIT, AGENCY, OR INSTRUMENTALITY OF THE STATE FOR ANY PURPOSE. ALL DEBTS, CLAIMS, OBLIGATIONS, AND LIABILITIES OF THE CORPORATION, WHENEVER INCURRED, SHALL BE THE DEBTS, CLAIMS, OBLIGATIONS, AND LIABILITIES OF THE CORPORATION ONLY AND NOT OF THE STATE, ITS AGENCIES, INSTRUMENTALITIES, OFFICERS, OR EMPLOYEES.

(B) MONEYS OF THE CORPORATION MAY NOT BE CONSIDERED PART OF THE GENERAL FUND OF THE STATE.

(C) THE STATE MAY NOT BUDGET FOR, OR PROVIDE GENERAL FUND APPROPRIATIONS TO, THE CORPORATION, AND THE DEBTS, CLAIMS, OBLIGATIONS, AND LIABILITIES OF THE CORPORATION MAY NOT BE CONSIDERED TO BE A DEBT OF THE STATE OR A PLEDGE OF THE FULL FAITH AND CREDIT OF THE STATE.