

(4) EACH INSURED MEMBER IS ELIGIBLE FOR ELECTION TO ACT OR SERVE AS A DELEGATE TO THE MEETING;

(5) THE SOCIETY HAS A BOARD OF DIRECTORS THAT:

(I) IS RESPONSIBLE FOR THE MANAGEMENT OF THE AFFAIRS OF THE SOCIETY BETWEEN MEETINGS OF THE SUPREME LEGISLATIVE OR GOVERNING BODY;

(II) IS SUBJECT TO CONTROL BY THE SUPREME LEGISLATIVE OR GOVERNING BODY;

(III) EXCEPT WHEN A VACANCY IS FILLED BETWEEN MEETINGS OF THE SUPREME LEGISLATIVE OR GOVERNING BODY, IS ELECTED BY THE SUPREME LEGISLATIVE OR GOVERNING BODY; AND

(IV) HAS POWERS AND DUTIES DELEGATED BY THE CONSTITUTION OR LAWS OF THE SOCIETY;

(6) THE OFFICERS OF THE SOCIETY ARE ELECTED BY THE SUPREME LEGISLATIVE OR GOVERNING BODY OR BY THE BOARD OF DIRECTORS; AND

(7) THE MEMBERS, OFFICERS, REPRESENTATIVES, OR DELEGATES OF THE SOCIETY MAY NOT VOTE BY PROXY.

REVISOR'S NOTE: This section is new language derived without substantive change from former Art. 48A, §§ 303, 304, and the first sentence of § 302 and former CA § 6-401(c), (d), and (e).

In subsection (a)(1)(v) of this section, the former reference to "Subtitle 19 of Article 48A of the Code" is deleted as unnecessary and obsolete because the provisions of former Subtitle 19 of Article 48A are revised in this subtitle.

The Insurance Article Review Committee notes, for consideration of the General Assembly, that the definitions of "fraternal benefit society", "lodge system", and "representative form of government" from former CA § 6-401(c), (d), and (e), respectively, are not revised as definitions. The terms "lodge system" and "representative form of government" were used only once each in the definition of "fraternal benefit society". The defined term "fraternal benefit society" was unnecessary in light of the defined term "society" in § 8-401(d) of this subtitle. The substance of each former definition is revised in this section.

Defined term: "Society" § 8-401

#### 8-403. APPLICATION OF SUBTITLE AND OTHER INSURANCE LAWS.

(A) APPLICATION OF SUBTITLE.

(1) EXCEPT AS OTHERWISE PROVIDED IN THIS SECTION, SOCIETIES ARE:

(I) GOVERNED EXCLUSIVELY BY THIS SUBTITLE; AND