THE AFFIDAVIT OF AN OFFICER OF THE SOCIETY OR AN INDIVIDUAL AUTHORIZED BY THE SOCIETY TO MAIL A NOTICE OR DOCUMENT, STATING THAT THE TEXT OF THE CONTRACT WAS PROPERLY ADDRESSED AND MAILED, IS PRIMA FACIE EVIDENCE THAT THE TEXT WAS PROVIDED TO THE ADDRESSEE.

(D)   APPROVAL OF CONTRACT.

THE COMMISSIONER SHALL APPROVE THE CONTRACT AND ISSUE A CERTIFICATE OF APPROVAL IF THE COMMISSIONER FINDS THAT:

(1)   THE SOCIETY HAS COMPLIED WITH THE PROVISIONS OF THIS SECTION;

(2)   THE FINANCIAL STATEMENTS ARE CORRECT; AND

(3)   THE CONSOLIDATION OR MERGER IS EQUITABLE TO THE MEMBERS OF EACH SOCIETY PARTY TO THE CONTRACT.

(E)   WHEN CONSOLIDATION OR MERGER EFFECTIVE.

(1)   UNLESS A SOCIETY PARTY TO THE CONTRACT IS INCORPORATED UNDER THE LAWS OF ANOTHER STATE, THE CONTRACT IS EFFECTIVE ON APPROVAL.

(2)   IF A SOCIETY PARTY TO THE CONTRACT IS INCORPORATED UNDER THE LAWS OF ANOTHER STATE, THE CONSOLIDATION OR MERGER IS NOT EFFECTIVE:

(I)   UNTIL IT IS APPROVED UNDER THE LAWS OF THE OTHER STATE AND A CERTIFICATE OF THE APPROVAL IS FILED WITH THE COMMISSIONER; OR

(II)   IF THE LAWS OF THE OTHER STATE DO NOT PROVIDE FOR APPROVAL, UNTIL IT IS APPROVED BY THE INSURANCE SUPERVISORY OFFICIAL OF THE OTHER STATE AND A CERTIFICATE OF THE APPROVAL IS FILED WITH THE COMMISSIONER.

REVISOR'S NOTE: This section is new language derived without substantive change from former CA § 6–416.

In subsection (b)(1) of this section, the former phrase "in full" is deleted as surplusage.

In subsection (b)(4) of this section, the word "publication" is substituted for the former word "organ" for clarity and consistency. See, e.g., §§ 8–419(d)(1) and 8–444(b)(2) of this subtitle.

In subsection (d)(1) of this section, the reference to the Commissioner finding that the "society has complied" with the provisions of this section is substituted for the former finding that the "contract conforms" with the provisions of this section because the section establishes conditions to be met by the society and does not establish any requirements regarding contracts.