

(3) THE CHANGES IN MARKET SHARES OF INSURERS IN THE MARKET IN BALTIMORE CITY; AND

(4) WHETHER INSURANCE IS AVAILABLE FROM INSURERS OTHER THAN THE MARYLAND MOTOR VEHICLE AUTOMOBILE INSURANCE FUND.

SECTION 5. AND BE IT FURTHER ENACTED, That the Laws of Maryland read as follows:

Article 48A – Insurance Code

640A.

(A) THE COMMISSIONER SHALL COLLECT AN ANNUAL REGULATORY SURTAX FRAUD PREVENTION FEE AS PROVIDED IN THIS SUBTITLE.

(B) THE REGULATORY SURTAX FRAUD PREVENTION FEE IS IN ADDITION TO ANY FEES, PENALTIES, CHARGES, OR PREMIUM TAXES IMPOSED UNDER THIS ARTICLE.

~~(C) THE REGULATORY SURTAX SHALL BE PAID BY ANY INSURER AUTHORIZED TO ENGAGE IN BUSINESS IN MARYLAND UNDER A CERTIFICATE OF AUTHORITY OR LICENSE ISSUED BY THE COMMISSIONER.~~

640B.

(A) (1) THE REGULATORY SURTAX FRAUD PREVENTION FEE IS DUE AND PAYABLE ON OR BEFORE AUGUST 1 OCTOBER 1 OF EACH YEAR.

(2) THE COMMISSIONER SHALL COLLECT THE REGULATORY SURTAX FRAUD PREVENTION FEE.

(B) THE TOTAL AMOUNT OF THE REGULATORY SURTAX FRAUD PREVENTION FEE COLLECTED BY THE COMMISSIONER SHALL BE DEPOSITED IN THE GENERAL FUND INSURANCE FRAUD DIVISION FUND FOR THE SOLE PURPOSE OF FUNDING THE ACTIVITIES OF THE INSURANCE FRAUD DIVISION.

640C.

~~(A) THE REGULATORY SURTAX SHALL BE EXPRESSED AS A PERCENTAGE OF ALL NEW AND RENEWAL GROSS DIRECT PREMIUMS WRITTEN BY AN INSURER SUBJECT TO THE REGULATORY SURTAX DURING THE IMMEDIATELY PRECEDING CALENDAR YEAR.~~

~~(B) THE REGULATORY SURTAX CHARGED TO AN INSURER SUBJECT TO THE REGULATORY SURTAX SHALL BE ESTABLISHED BY THE COMMISSIONER TO RAISE THE FOLLOWING SUMS FOR THE OPERATION OF THE FRAUD UNIT:~~

- ~~(1) \$1 MILLION FOR FISCAL YEAR 1966;~~
- ~~(2) \$1.5 MILLION FOR FISCAL YEAR 1997; AND~~
- ~~(3) \$2 MILLION FOR EACH FISCAL YEAR THEREAFTER.~~