

(B) PAYABLE AFTER OTHER LIABILITIES.

A LOAN OR ADVANCE AND ANY INTEREST ON IT:

(1) IS PAYABLE ONLY OUT OF THE SURPLUS REMAINING AFTER THE STOCK INSURER OR MUTUAL INSURER PROVIDES FOR ALL RESERVES AND OTHER LIABILITIES; AND

(2) IS NOT OTHERWISE A LIABILITY OR CLAIM AGAINST THE STOCK INSURER OR MUTUAL INSURER OR ANY OF ITS ASSETS.

(C) COMMISSION OR PROMOTION EXPENSE PROHIBITED.

A COMMISSION OR PROMOTION EXPENSE MAY NOT BE PAID IN CONNECTION WITH A LOAN OR ADVANCE MADE UNDER THIS SECTION.

(D) ANNUAL STATEMENT.

IN EACH ANNUAL STATEMENT, A STOCK INSURER OR MUTUAL INSURER SHALL REPORT THE AMOUNT OF EACH LOAN OR ADVANCE MADE UNDER THIS SECTION.

(E) LOAN OR ADVANCE UNDER NOTICE OF DEFICIENCY.

IF A LOAN OR ADVANCE IS MADE TO A STOCK INSURER OR MUTUAL INSURER UNDER A NOTICE OF DEFICIENCY MADE BY THE COMMISSIONER UNDER § 3-109 OF THIS SUBTITLE, THE LOAN OR ADVANCE MAY NOT BE REPAID OR WITHDRAWN WITHOUT THE EXPRESS WRITTEN CONSENT OF THE COMMISSIONER.

REVISOR'S NOTE: This section is new language derived without substantive change from former Art. 48A, § 266.

In subsections (a)(1) and (b)(2) of this section, the specific references to a "stock insurer" and a "mutual insurer" are substituted for the former references to "such insurer" and "the insurer" for consistency.

In subsections (b), (c), and (d) of this section, the references to a "loan" are added for consistency with subsections (a) and (e) of this section.

In the introductory language of subsection (b) of this section, the phrase "as may have been agreed upon", which formerly modified "interest", is deleted as implicit.

Defined terms: "Commissioner" § 1-101

"Mutual insurer" § 1-101

"Person" § 1-101

"Stock insurer" § 1-101