(I) THE MINIMUM RESERVE CALCULATED UNDER § 5-307 OF THIS SUBTITLE, INCLUDING § 5-307(A)(4)(III); OR

(II) THE MINIMUM RESERVE CALCULATED UNDER THIS SECTION.

REVISOR'S NOTE: This section is new language derived without substantive change from former Art. 48A, § 83(3)(e).

In subsection (a)(3) of this section, the reference to "§ 5–103(3) of this title" is substituted for the former incorrect cross–reference.

In the introductory language of subsection (b) of this section, the reference to "a life insurance policy described in § 5–307(a)(3)(ii) of this subtitle" is substituted for the former lengthy description of life insurance policies that were issued after January 1, 1986 containing a series of distinguishing features.

Defined terms: "Commissioner" § 1–101
"Insurance" § 1–101
"Insurer" § 1–101
"Life insurance" § 1–101
"Policy" § 1–101
"Premium" § 1–101

5-312. SAME — RESERVE CALCULATION FOR INDETERMINATE PREMIUM PLANS.

(A) SCOPE OF SECTION.

THIS SECTION APPLIES TO:

(1) A PLAN OF LIFE INSURANCE THAT PROVIDES FOR FUTURE PREMIUMS TO BE DETERMINED BY THE INSURER BASED ON ESTIMATES OF FUTURE EXPERIENCE; AND

(2) A PLAN OF LIFE INSURANCE OR ANNUITY THAT IS OF A NATURE THAT PRECLUDES DETERMINING THE MINIMUM RESERVES BY THE METHODS DESCRIBED IN §§ 5-307, 5-308, AND 5-311 OF THIS SUBTITLE.

(B) REQUIRED RESERVES.

IN ACCORDANCE WITH REGULATIONS ADOPTED BY THE COMMISSIONER, THE RESERVES THAT ARE HELD UNDER A PLAN DESCRIBED IN SUBSECTION (A) OF THIS SECTION SHALL:

(1) BE APPROPRIATE IN RELATION TO THE BENEFITS AND PATTERN OF PREMIUMS FOR THAT PLAN; AND

(2) BE COMPUTED BY A METHOD THAT IS CONSISTENT WITH THE PRINCIPLES OF THIS SUBTITLE.

REVISOR'S NOTE: This section is new language derived without substantive change from former Art. 48A, § 83(3)(f).