

(1) THE CASH OR GOVERNMENT SECURITIES DEPOSITED BY THE INSURER AND HELD ON DEPOSIT UNDER THIS SUBTITLE BECOME INELIGIBLE FOR DEPOSIT UNDER § 5-701(B) OF THIS SUBTITLE; OR

(2) THE MARKET VALUE OF THE DEPOSITED CASH AND GOVERNMENT SECURITIES FALLS BELOW THE AMOUNT REQUIRED UNDER THIS ARTICLE.

REVISOR'S NOTE: This section is new language derived without substantive change from former Art. 48A, § 115.

Throughout this section, the references to "cash" are substituted for the former references to "assets" and the references to "government securities" are substituted for the former references to "securities" for clarity and consistency throughout this subtitle.

Also throughout this section, the references to "§ 5-701(b)" of this subtitle are added for clarity.

In item (1) of this section, the reference to cash or government securities held on deposit "under this subtitle" is added for clarity. Correspondingly, the former reference to assets and securities held on deposit "in this State" is deleted as unnecessary since all deposits held "under this subtitle" are held in this State under §§ 5-701 and 5-702.

Defined term: "Insurer" § 1-101

5-706. LEVY ON DEPOSITS BY JUDGMENT CREDITORS.

(A) PROHIBITED.

A JUDGMENT CREDITOR OR OTHER CLAIMANT OF AN INSURER MAY NOT LEVY ON ANY OF THE CASH OR GOVERNMENT SECURITIES HELD ON DEPOSIT UNDER THIS SUBTITLE FOR THE PROTECTION OF THE INSURER'S POLICYHOLDERS AND CREDITORS.

(B) ALLOWED.

A JUDGMENT CREDITOR OR OTHER CLAIMANT OF AN INSURER MAY LEVY ON A DEPOSIT REQUIRED UNDER § X-XXX [ART. 48A, § 61] OF THIS ARTICLE IF ALLOWED BY THE NOTICE OF THE COMMISSIONER REQUIRING THE DEPOSIT TO BE MADE.

REVISOR'S NOTE: This section is new language derived without substantive change from former Art. 48A, § 114.

In subsection (a) of this section, the reference to "cash" is substituted for the former reference to "assets" and the reference to "government securities" is substituted for the former reference to "securities" for clarity and consistency throughout this subtitle.