

(II) IS NOT CONNECTED WITH THE COMMENCEMENT OF AN ACTION OR PROCEEDING BY OR AGAINST THE COMMISSIONER OR WITH THE SUBSEQUENT CONDUCT OF THE ACTION OR PROCEEDING.

(2) SUBJECT TO SUBSECTION (B) OF THIS SECTION, THE COMMISSIONER MAY NOT BE REQUIRED TO PAY TO A PUBLIC OFFICER IN THE STATE A FEE FOR FILING, RECORDING, OR ISSUING A TRANSCRIPT OR CERTIFICATE OR FOR AUTHENTICATING A PAPER OR INSTRUMENT THAT RELATES TO THE EXERCISE BY THE COMMISSIONER OF A POWER OR DUTY OF THE COMMISSIONER UNDER THIS SUBTITLE.

(B) PAYMENT OF COSTS.

(1) THE COMMISSIONER OR DEPUTY COMMISSIONER, WHEN ACTING AS RECEIVER OR ANCILLARY RECEIVER UNDER THIS SUBTITLE, SHALL PAY ALL COURT COSTS OUT OF THE ASSETS OF THE INSURER BEFORE ANY DISTRIBUTION TO CREDITORS OR TERMINATION OF REHABILITATION.

(2) IN ALL CASES, THESE COSTS AND THOSE SPECIFIED IN SUBSECTION (A) OF THIS SECTION SHALL:

(I) BE CHARGED IN THE ACCOUNTS OF THE COMMISSIONER TO THE COURT; OR

(II) BE PAID BY THE INSURER AS A CONDITION OF TERMINATION OF THE ACTION OR PROCEEDING.

REVISOR'S NOTE: This section is new language derived without substantive change from former Art. 48A, § 154.

In subsection (b)(2)(ii) of this section, the reference to "action" is added for consistency with subsection (a)(1)(ii) of this section.

Defined terms: "Commissioner" § 1-101

"Creditor" § 9-201

"Insurer" § 1-101

"Receiver" § 9-201

9-207. APPOINTMENT OF STAFF.

(A) IN GENERAL.

(1) IN A DELINQUENCY PROCEEDING IN WHICH THE COMMISSIONER HAS BEEN APPOINTED RECEIVER, THE COMMISSIONER MAY:

(I) APPOINT ONE OR MORE SPECIAL DEPUTY COMMISSIONERS TO ACT FOR THE COMMISSIONER; AND

(II) EMPLOY COUNSEL, CLERKS, AND ASSISTANTS.

(2) COMPENSATION OF THE SPECIAL DEPUTIES, COUNSEL, CLERKS, AND ASSISTANTS AND ALL EXPENSES OF TAKING POSSESSION OF THE INSURER AND OF CONDUCTING THE DELINQUENCY PROCEEDING: