

- (1) A PETITION FOR ASSESSMENT; AND
- (2) A REPORT THAT STATES:

(I) THE REASONABLE VALUE OF THE ASSETS OF THE MUTUAL INSURER OR RECIPROCAL INSURER;

(II) THE LIABILITIES OF THE MUTUAL INSURER OR RECIPROCAL INSURER TO THE EXTENT DETERMINED BY THE COMMISSIONER AT THE TIME OF THE REPORT;

(III) AS PROVIDED IN § 3-111 OF THIS ARTICLE, THE AGGREGATE AMOUNT OF ANY ASSESSMENT THAT THE COMMISSIONER CONSIDERS REASONABLY NECESSARY TO PAY IN FULL:

1. ALL CLAIMS;
2. THE COSTS AND EXPENSES OF THE COLLECTION OF ASSESSMENTS; AND
3. THE COSTS AND EXPENSES OF THE DELINQUENCY PROCEEDING; AND

(IV) ANY OTHER INFORMATION ABOUT THE AFFAIRS OR THE PROPERTY OF THE MUTUAL INSURER OR RECIPROCAL INSURER THAT THE COMMISSIONER CONSIDERS MATERIAL.

(B) ORDER FOR ASSESSMENT.

(1) ON THE FILING AND READING OF THE REPORT AND PETITION SPECIFIED IN SUBSECTION (A) OF THIS SECTION, THE COURT EX PARTE MAY ORDER THE COMMISSIONER TO ASSESS ALL MEMBERS OR SUBSCRIBERS OF THE MUTUAL INSURER OR RECIPROCAL INSURER WHO MAY BE SUBJECT TO ASSESSMENT, IN AN AGGREGATE AMOUNT AS THE COURT FINDS REASONABLY NECESSARY TO PAY IN FULL:

(I) ALL VALID CLAIMS THAT ARE TIMELY FILED AND PROVED IN THE DELINQUENCY PROCEEDING;

(II) THE COSTS AND EXPENSES OF IMPOSING AND COLLECTING THE ASSESSMENTS; AND

(III) THE COSTS AND EXPENSES OF THE DELINQUENCY PROCEEDING.

(2) THE ORDER SHALL REQUIRE THE COMMISSIONER TO ASSESS EACH MEMBER OR SUBSCRIBER FOR THE MEMBER'S OR SUBSCRIBER'S PROPORTION OF THE AGGREGATE ASSESSMENT IN ACCORDANCE WITH A REASONABLE CLASSIFICATION OF THE MEMBERS OR SUBSCRIBERS AND A FORMULA MADE BY THE COMMISSIONER AND APPROVED BY THE COURT.

(3) THE COURT MAY ORDER AN ADDITIONAL ASSESSMENT ON ALL MEMBERS OR SUBSCRIBERS WHO MAY BE SUBJECT TO ASSESSMENT ON THE FILING