

AND READING OF AN AMENDMENT OR SUPPLEMENT TO THE REPORT AND PETITION SPECIFIED IN SUBSECTION (A) OF THIS SECTION IF THE AMENDMENT OR SUPPLEMENT IS FILED WITHIN 3 YEARS AFTER THE DATE OF ISSUANCE OF THE ORDER OF REHABILITATION OR LIQUIDATION:

(4) AFTER ISSUANCE OF AN ORDER UNDER THIS SUBSECTION, THE COMMISSIONER SHALL ASSESS EACH MEMBER OR SUBSCRIBER IN ACCORDANCE WITH THE ORDER.

(C) LIMITATIONS ON ASSESSMENTS.

(1) THE TOTAL OF ALL ASSESSMENTS AGAINST A MEMBER OR SUBSCRIBER WITH RESPECT TO A POLICY, WHETHER IMPOSED UNDER THIS SUBTITLE OR ANOTHER PROVISION OF THIS ARTICLE:

(I) MAY NOT BE MORE THAN AS SPECIFIED IN THE POLICY OF THE MEMBER OR SUBSCRIBER; AND

(II) SHALL BE AS LIMITED UNDER THIS ARTICLE.

(2) AN ASSESSMENT MAY NOT BE IMPOSED AGAINST A MEMBER OR SUBSCRIBER WITH RESPECT TO A NONASSESSABLE POLICY THAT IS ISSUED IN ACCORDANCE WITH THIS ARTICLE.

(D) PRESUMPTION OF CORRECTNESS.

THE ASSESSMENT OF A MEMBER OR SUBSCRIBER IS PRESUMED CORRECT IF MADE BY THE COMMISSIONER IN ACCORDANCE WITH A COURT ORDER THAT:

(1) FIXES THE AGGREGATE AMOUNT OF THE ASSESSMENT AGAINST ALL MEMBERS OR SUBSCRIBERS; AND

(2) APPROVES THE CLASSIFICATION AND FORMULA MADE BY THE COMMISSIONER UNDER SUBSECTION (A) OF THIS SECTION.

(E) PROCEDURE FOR COLLECTION.

(1) THE COMMISSIONER SHALL MAIL TO EACH MEMBER OR SUBSCRIBER AT THE LAST ADDRESS OF RECORD WITH THE INSURER A NOTICE THAT:

(I) STATES THE AMOUNT OF THE ASSESSMENT TO BE PAID BY THE MEMBER OR SUBSCRIBER;

(II) SPECIFIES WHEN THE ASSESSMENT SHOULD BE PAID; AND

(III) REQUIRES PAYMENT NOT LESS THAN 20 DAYS AFTER THE COMMISSIONER MAILES THE NOTICE.

(2) IN A PROCEEDING TO COLLECT AN ASSESSMENT, IT IS NOT A DEFENSE THAT A MEMBER OR SUBSCRIBER FAILED TO RECEIVE THE MAILED NOTICE OR FAILED TO RECEIVE THE NOTICE WITHIN THE TIME SPECIFIED IN THE NOTICE FOR PAYMENT OF THE ASSESSMENT.