

seems low in light of current economic conditions. This amount was enacted by Ch. 553, § 1, Acts of 1963.

As to the effect of subsections (a), (d), (e), (f), (g), and (h) of this section as part of the Uniform Insurers Liquidation Act, see § 9-202 of this subtitle.

Defined terms: "Ancillary state" § 9-201

"Commissioner" § 1-101

"Creditor" § 9-201

"Delinquency proceeding" § 9-201

"Domiciliary state" § 9-201

"General assets" § 9-201

"Insurance contract" § 1-101

"Insurer" § 1-101

"Policy" § 1-101

"Receiver" § 9-201

"Reciprocal state" § 9-201

"Secured claim" § 9-201

"Special deposit claim" § 9-201

"State" § 9-201

9-228. DISPOSITION OF CLAIMS.

(A) CONTINGENT AND UNLIQUIDATED CLAIMS.

(1) SUBJECT TO PARAGRAPH (2) OF THIS SUBSECTION, CONTINGENT AND UNLIQUIDATED CLAIMS MAY NOT SHARE IN A DISTRIBUTION OF THE ASSETS OF AN INSURER THAT HAS BEEN ADJUDICATED TO BE AN IMPAIRED INSURER BY AN ORDER ISSUED UNDER THIS SUBTITLE.

(2) IF PROPERLY PRESENTED, A CONTINGENT AND UNLIQUIDATED CLAIM SHALL BE CONSIDERED AND MAY BE ALLOWED TO SHARE IF:

(I) THE CLAIM BECOMES ABSOLUTE AGAINST THE INSURER ON OR BEFORE THE LAST DAY FOR FILING CLAIMS AGAINST THE ASSETS OF THE INSURER; OR

(II) THERE IS A SURPLUS AND THE LIQUIDATION IS SUBSEQUENTLY CONDUCTED ON THE BASIS THAT THE INSURER IS SOLVENT.

(B) CLAIMS UNDER LIABILITY POLICIES.

IF AN INSURER HAS BEEN ADJUDICATED TO BE AN IMPAIRED INSURER, A PERSON THAT HAS A CAUSE OF ACTION AGAINST AN INSURED OF THE INSURER UNDER A LIABILITY POLICY ISSUED BY THE INSURER HAS THE RIGHT TO FILE A CLAIM IN THE LIQUIDATION PROCEEDING, EVEN IF THE CLAIM MAY BE CONTINGENT, AND THE CLAIM MAY BE ALLOWED IF:

(1) A REASONABLE INFERENCE MAY BE MADE FROM PROOF PRESENTED ON THE CLAIM THAT THE PERSON WOULD BE ABLE TO OBTAIN A JUDGMENT IN A CAUSE OF ACTION AGAINST THE INSURED;