

BEFORE, ON, OR WITHIN 18 MONTHS AFTER THE DETERMINATION OF INSOLVENCY, WHETHER OR NOT THE SURETY BOND IS ISSUED FOR NO STATED PERIOD OR FOR A STATED PERIOD; AND

(IV) THAT ARISES OUT OF A POLICY OR SURETY BOND OF THE INSOLVENT INSURER ISSUED FOR A KIND OF INSURANCE TO WHICH THIS SUBTITLE APPLIES.

(2) "COVERED CLAIM" DOES NOT INCLUDE:

(I) AN AMOUNT DUE A REINSURER, INSURER, INSURANCE POOL, OR UNDERWRITING ASSOCIATION, AS A SUBROGATION RECOVERY OR OTHERWISE; OR.

(II) AN AMOUNT DUE THAT ARISES OUT OF INSURANCE COVERING THE MEMBERS OF A PURCHASING GROUP IF THE INSURANCE OBTAINED BY THE PURCHASING GROUP IS WRITTEN BY AN UNAUTHORIZED INSURER.

REVISOR'S NOTE: This subsection is new language derived without substantive change from former Art. 48A, § 505 (c)(1) and (2)(ii) and the first sentence of (i).

In paragraph (1)(i)1A of this subsection, the defined term "policy" is substituted for the former term "insurance policy contracts" for consistency throughout this subtitle. Similarly, in paragraph (1)(iv) of this subsection, the defined term "policy" is substituted for the former term "policy contract".

The Insurance Article Review Committee notes, for consideration by the General Assembly, that under paragraph (1)(iii) of this subsection, no limitation period is provided for a surety bond claim that arises under a surety bond issued by a foreign insurer.

Defined terms: "Authorized insurer" § 1-101

"Corporation" § 9-301

"Domestic insurer" § 1-101

"Insolvent insurer" § 9-301

"Insurance" § 1-101

"Insurer" § 1-101

"Person" § 1-101

"Policy" § 1-101

"Premium" § 1-101

"Resident" § 9-301

"Surety bond" § 9-301

"Unauthorized insurer" § 1-101

(E) INSOLVENT INSURER.

"INSOLVENT INSURER" MEANS AN INSURER: