

(1) CLASS A ASSESSMENTS, TO BE USED TO MEET ADMINISTRATIVE COSTS AND OTHER GENERAL EXPENSES NOT RELATED TO A PARTICULAR IMPAIRED INSURER OR INSOLVENT INSURER; AND

(2) CLASS B ASSESSMENTS, TO BE USED TO CARRY OUT THE POWERS AND DUTIES OF THE CORPORATION WITH RESPECT TO AN IMPAIRED INSURER OR INSOLVENT INSURER.

(D) AMOUNT.

(1) (I) THE BOARD SHALL DETERMINE THE AMOUNT OF A CLASS A ASSESSMENT.

(II) THE BOARD MAY MAKE A CLASS A ASSESSMENT ON A PRO RATA OR NONPRO RATA BASIS.

(III) IF MADE ON A PRO RATA BASIS, THE BOARD MAY PROVIDE THAT THE ASSESSMENT BE CREDITED AGAINST FUTURE CLASS B ASSESSMENTS.

(IV) A NONPRO RATA ASSESSMENT MAY NOT EXCEED THE AMOUNT PROVIDED IN THE CORPORATION'S PLAN OF OPERATION PER MEMBER INSURER IN 1 CALENDAR YEAR.

(V) THE AMOUNT OF A CLASS B ASSESSMENT SHALL BE ALLOCATED FOR ASSESSMENT PURPOSES AMONG THE ACCOUNTS ACCORDING TO AN ALLOCATION FORMULA THAT IS BASED ON:

1. THE PREMIUMS OR RESERVES OF THE IMPAIRED INSURER OR INSOLVENT INSURER; OR

2. ON ANOTHER STANDARD THAT THE BOARD CONSIDERS IN ITS SOLE DISCRETION TO BE FAIR AND REASONABLE UNDER THE CIRCUMSTANCES.

(2) THE BOARD SHALL MAKE CLASS B ASSESSMENTS AGAINST MEMBER INSURERS FOR EACH ACCOUNT IN THE PROPORTION THAT THE AMOUNT OF PREMIUMS RECEIVED ON BUSINESS IN THE STATE BY EACH ASSESSED MEMBER INSURER ON POLICIES OR CONTRACTS COVERED BY EACH ACCOUNT FOR THE MOST RECENT CALENDAR YEAR FOR WHICH INFORMATION IS AVAILABLE PRECEDING THE YEAR IN WHICH THE INSURER BECAME IMPAIRED OR INSOLVENT, BEARS TO THE AMOUNT OF PREMIUMS RECEIVED ON BUSINESS IN THE STATE FOR THOSE CALENDAR YEARS BY ALL ASSESSED MEMBER INSURERS.

(3) THE BOARD MAY ASSESS MEMBER INSURERS ON A NONPRO RATA BASIS WITHOUT REGARD TO PARAGRAPH (2) OF THIS SUBSECTION IF THE AMOUNT OF A CLASS B ASSESSMENT REPRESENTING THE AGGREGATE LIABILITY OF THE CORPORATION FOR A SINGLE IMPAIRMENT OR INSOLVENCY IS NOT GREATER THAN THE CLASS A ASSESSMENT IN THE SAME CALENDAR YEAR AGAINST AUTHORIZED INSURERS IN THE SAME LINE OF BUSINESS AS THE LIABILITY FOR THE IMPAIRED INSURER OR INSOLVENT INSURER.