

(4) (I) THE BOARD MAY NOT MAKE ASSESSMENTS FOR FUNDS TO MEET THE REQUIREMENTS OF THE CORPORATION WITH RESPECT TO AN IMPAIRED INSURER OR INSOLVENT INSURER UNTIL NECESSARY TO CARRY OUT THE PURPOSES OF THIS SUBTITLE.

(II) BECAUSE EXACT DETERMINATIONS MAY NOT ALWAYS BE POSSIBLE, THE BOARD SHALL MAKE CLASSIFICATIONS OF ASSESSMENTS UNDER SUBSECTION (A) OF THIS SECTION AND COMPUTATION OF ASSESSMENTS UNDER THIS SUBSECTION WITH A REASONABLE DEGREE OF ACCURACY.

(E) ABATEMENT OR DEFERRAL.

(1) IF, IN THE OPINION OF THE BOARD, PAYMENT OF AN ASSESSMENT WOULD ENDANGER THE ABILITY OF A MEMBER INSURER TO MEET ITS CONTRACTUAL OBLIGATIONS, THE CORPORATION MAY ABATE OR DEFER, WHOLLY OR PARTLY, THE ASSESSMENT OF THE MEMBER INSURER.

(2) IF AN ASSESSMENT AGAINST A MEMBER INSURER IS WHOLLY OR PARTLY ABATED OR DEFERRED, THE AMOUNT BY WHICH THE ASSESSMENT IS ABATED OR DEFERRED SHALL BE ASSESSED AGAINST THE OTHER MEMBER INSURERS IN A MANNER CONSISTENT WITH THE BASIS FOR ASSESSMENTS SET FORTH IN THIS SECTION.

(F) MAXIMUM ASSESSMENTS.

(1) IN A CALENDAR YEAR, THE TOTAL OF ALL ASSESSMENTS AGAINST A MEMBER INSURER FOR EACH ACCOUNT MAY NOT EXCEED 2% OF THE MEMBER INSURER'S PREMIUMS IN THE STATE ON POLICIES COVERED BY THE ACCOUNT.

(2) IF AN ASSESSMENT AGAINST A MEMBER INSURER IS REDUCED BECAUSE OF PARAGRAPH (1) OF THIS SUBSECTION, THE BOARD SHALL ASSESS THE AMOUNT OF THE REDUCTION AGAINST THE OTHER MEMBER INSURERS IN A MANNER CONSISTENT WITH THE BASIS FOR ASSESSMENTS SET FORTH IN THIS SECTION.

(3) IF THE MAXIMUM ASSESSMENTS IN A CALENDAR YEAR AGAINST ALL INSURERS PLUS THE OTHER ASSETS OF THE CORPORATION IN ANY ACCOUNT ARE INSUFFICIENT TO PROVIDE IN THE ACCOUNT THE AMOUNT NECESSARY TO CARRY OUT THE RESPONSIBILITIES OF THE CORPORATION, THE BOARD SHALL MAKE ADDITIONAL ASSESSMENTS AS NECESSARY AGAINST MEMBER INSURERS AS SOON AS ALLOWED BY THIS SUBTITLE.

(G) REFUNDS.

(1) IF APPROVED BY THE COMMISSIONER, THE BOARD MAY REFUND TO MEMBER INSURERS, BY AN EQUITABLE METHOD SET BY THE PLAN OF OPERATION, IN PROPORTION TO THE CONTRIBUTION OF EACH MEMBER INSURER TO THAT ACCOUNT, THE AMOUNT BY WHICH THE ASSETS OF THE ACCOUNT EXCEED THE AMOUNT THAT THE BOARD FINDS NECESSARY TO CARRY OUT THE OBLIGATIONS OF THE CORPORATION DURING THE COMING YEAR.