

In subsection (d)(1)(i) and (ii) of this section, the reference to the present value of the future guaranteed benefits "calculated as of the time of the change to the newly defined benefits or premiums" is substituted for the former reference to the "then" future guaranteed benefits for clarity.

In subsections (i)(3), (5), and (6) and (k) of this section, the references to an "insurer" are added for clarity.

- Defined terms: "Annuity" § 1-101
- "Commissioner" § 1-101
- "Industrial life insurance" § 1-101
- "Life insurance" § 1-101
- "Insurer" § 1-101
- "Life insurance" § 1-101
- "Policy" § 1-101
- "Premium" § 1-101

16-310. PLANS TO WHICH §§ 16-303 THROUGH 16-309 NOT APPLICABLE.

(A) SCOPE OF SECTION.

THIS SECTION APPLIES TO A PLAN OF LIFE INSURANCE:

- (1) THAT PROVIDES THAT THE INSURER WILL DETERMINE FUTURE PREMIUMS BASED ON FUTURE EXPERIENCE ESTIMATES; OR
- (2) THE MINIMUM VALUES OF WHICH CANNOT BE DETERMINED UNDER THE APPLICABLE PROVISIONS OF §§ 16-303 THROUGH 16-309 OF THIS SUBTITLE.

(B) BENEFITS UNDER PLAN.

THE COMMISSIONER MUST BE SATISFIED THAT:

- (1) THE BENEFITS PROVIDED UNDER THE PLAN DESCRIBED IN SUBSECTION (A) OF THIS SECTION ARE SUBSTANTIALLY AS FAVORABLE TO POLICYHOLDERS AND INSURED AS THE MINIMUM BENEFITS OTHERWISE REQUIRED BY §§ 16-303 THROUGH 16-309 OF THIS SUBTITLE; AND
- (2) THE BENEFITS AND THE PATTERN OF PREMIUMS UNDER THE PLAN DO NOT MISLEAD PROSPECTIVE POLICYHOLDERS OR INSURED.

(C) CASH SURRENDER VALUES AND PAID-UP NONFORFEITURE VALUES.

THE CASH SURRENDER VALUES AND PAID-UP NONFORFEITURE BENEFITS PROVIDED BY A PLAN SUBJECT TO THIS SECTION MAY NOT BE LESS THAN THE MINIMUM VALUES AND BENEFITS REQUIRED FOR THE PLAN CALCULATED BY A METHOD CONSISTENT WITH THE PRINCIPLES OF THIS SUBTITLE, AS DETERMINED BY REGULATIONS ADOPTED BY THE COMMISSIONER.

REVISOR'S NOTE: This section is new language derived without substantive change from former Art. 48A, § 414(k-2).