

the insurance is obtained by the purchasing group, the insurance is written by an authorized insurer, and the claim is made by a person residing or located in the State; or

2. arises out of a surety bond issued by the insolvent insurer for the protection of a third party that is a resident;

(ii) that is presented on or before the last date fixed for the filing of claims in the domiciliary delinquency proceeding as a claim to the corporation or to the receiver in the State;

(iii) that:

1. except for a surety bond claim, was incurred or existed before, on, or within 30 days after the determination of insolvency; or

2. for a surety bond claim that arises out of a surety bond issued by a domestic insurer, was incurred or existed 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.

(3) (I) "COVERED CLAIM" DOES NOT INCLUDE A FIRST PARTY CLAIM BY AN INSURED WHOSE NET WORTH EXCEEDS \$50,000,000 ON DECEMBER 31 OF THE YEAR BEFORE THE YEAR IN WHICH THE INSURER BECOMES AN INSOLVENT INSURER.

(II) FOR PURPOSES OF THIS PARAGRAPH, THE NET WORTH OF AN INSURED IS DEEMED TO INCLUDE THE AGGREGATE NET WORTH OF THE INSURED AND ALL OF ITS SUBSIDIARIES CALCULATED ON A CONSOLIDATED BASIS.

9-310.1.

(A) ANY OBLIGATION OF THE CORPORATION TO DEFEND AN INSURED SHALL CEASE ON PAYMENT BY THE CORPORATION, BY SETTLEMENT RELEASING THE INSURED OR ON A JUDGMENT, OF AN AMOUNT EQUAL TO THE LESSER OF THE CORPORATION'S COVERED CLAIM OBLIGATION LIMIT OR THE APPLICABLE POLICY LIMIT.

(B) (1) IN THIS SUBSECTION, "AFFILIATE" MEANS A PERSON THAT DIRECTLY OR INDIRECTLY, THROUGH ONE OR MORE INTERMEDIARIES, CONTROLS, IS CONTROLLED BY, OR IS UNDER COMMON CONTROL WITH ANOTHER PERSON.