

- (1) a person engaged as principal in the business of writing insurance contracts, surety contracts, guaranty contracts, or annuity contracts;
- (2) an attorney in fact for a reciprocal insurer;
- (3) the Maryland Automobile Insurance Fund; and
- (4) a credit indemnity company.

(b) The following persons are not subject to taxation under this subtitle:

- (1) a nonprofit health service plan corporation THAT MEETS THE REQUIREMENTS ESTABLISHED UNDER §§ 14-106 AND 14-107 OF THIS ARTICLE;
 - (2) a fraternal benefit society;
 - (3) a health maintenance organization authorized by Title 19, Subtitle 7 of the Health - General Article;
 - (4) a surplus lines broker, who is subject to taxation in accordance with Title 3, Subtitle 3 of this article;
 - (5) an unauthorized insurer, who is subject to taxation in accordance with Title 4, Subtitle 2 of this article; or
 - (6) the Short-Term Prescription Drug Subsidy Plan created under Title 15, Subtitle 6 of the Health - General Article.
- 14-106.

(A) IT IS THE PUBLIC POLICY OF THIS STATE THAT THE EXEMPTION FROM TAXATION FOR NONPROFIT HEALTH SERVICE PLANS UNDER § 6-101(B)(1) OF THIS ARTICLE IS GRANTED SO THAT FUNDS WHICH WOULD OTHERWISE BE COLLECTED BY THE STATE AND SPENT FOR A PUBLIC PURPOSE SHALL BE USED IN A LIKE MANNER AND AMOUNT BY THE NONPROFIT HEALTH SERVICE PLAN.

(B) THIS SECTION DOES NOT APPLY TO A NONPROFIT HEALTH SERVICE PLAN THAT INSURES FEWER THAN 10,000 COVERED LIVES IN MARYLAND.

~~(B)~~ (C) BY MARCH 1 OF EACH YEAR OR A DEADLINE OTHERWISE IMPOSED BY THE COMMISSIONER FOR GOOD CAUSE, EACH NONPROFIT HEALTH SERVICE PLAN SHALL FILE WITH THE COMMISSIONER A PREMIUM TAX EXEMPTION REPORT THAT:

- (1) IS IN A FORM APPROVED BY THE COMMISSIONER; AND
- (2) DEMONSTRATES THAT THE PLAN HAS USED FUNDS EQUAL TO THE VALUE OF THE PREMIUM TAX EXEMPTION PROVIDED TO THE PLAN UNDER § 6-101(B) OF THIS ARTICLE, IN A MANNER THAT SERVES THE PUBLIC INTEREST IN ACCORDANCE WITH SUBSECTION ~~(C)~~ (D) OF THIS SECTION.

~~(C)~~ (D) EXCEPT AS PROVIDED IN SUBSECTION ~~(B)~~ (E) OF THIS SECTION, A NONPROFIT HEALTH SERVICE PLAN MAY SATISFY THE PUBLIC SERVICE REQUIREMENT IN SUBSECTION ~~(B)~~ (C)(2) OF THIS SECTION BY ESTABLISHING THAT THE PLAN HAS: