

reason, to be licensed. However, the Commissioner may permit the surety bond to be reduced or eliminated prior to that time if the amount of the licensee's payment instruments outstanding in this State are reduced.

(5) A licensee or surety may cancel a SURETY bond by giving the Commissioner notice of the cancellation by certified mail, return receipt requested, bearing a postmark from the United States Postal Service. However, the cancellation is not effective until [30] 90 days after the Commissioner receives the notice.

[(c)] (D) (1) [Permissible investments deposited under] A DEPOSIT IN LIEU OF A SURETY BOND MADE TO SATISFY THE PROVISIONS OF SUBSECTION (B) OF this section shall:

(i) Have a market value equal to the amount required [by] Subsection [(d)] (E) of this section; and

(ii) Be held by the Commissioner to secure the same obligations as are required to be secured by a SURETY bond under subsection [(b)] (C) of this section.

(2) At any time, a licensee may exchange [deposited permissible] investments for other [permissible] investments that meet the requirements of this subsection.

(3) The Commissioner may sell or transfer [deposited permissible] investments and [dispose of their proceeds only on the order of a court of competent jurisdiction.] DISTRIBUTE THE PROCEEDS ON THE SAME BASIS AS PROVIDED FOR CLAIMS AGAINST A SURETY BOND UNDER PARAGRAPH (C)(1) OF THIS SECTION.

(4) As long as a licensee is solvent, the licensee is entitled to receive any interest or dividends earned by the [deposited permissible] investments.

(5) (I) The Commissioner may place the [deposited permissible] investments in the custody of any qualified trust company [or national banking association] in this State.

(II) The licensee shall pay the compensation of this custodian.

[(d)](E) (1) The amount of the [bond to be filed with the Commissioner or the fair market value of the permissible investments to be deposited with the Commissioner] SURETY DEVICE shall be in an amount of not less than [\$100,000 plus an additional amount of not less than \$10,000 for each agent of the licensee, but in no event shall the bond or fair market value of permissible investments exceed \$350,000, as set by the Commissioner] \$150,000 AND NOT MORE THAN \$1,000,000, AS DETERMINED BY THE COMMISSIONER.

(2) In setting the amount of the [bond] SURETY DEVICE, the Commissioner shall consider:

(i) The financial condition of the LICENSEE OR applicant;