

~~(2) (I) IF, IN ANY FISCAL YEAR, THE AMOUNT OF THE ASSESSMENT REVENUE COLLECTED BY THE COMMISSIONER AND DEPOSITED INTO THE FUND EXCEEDS THE ACTUAL COSTS AND EXPENSES INCURRED BY THE DIVISION TO CARRY OUT ITS DUTIES UNDER THIS SUBTITLE, THE EXCESS AMOUNT SHALL BE CARRIED FORWARD WITHIN THE FUND FOR THE PURPOSE OF REDUCING THE ASSESSMENT IMPOSED BY THE COMMISSIONER FOR THE FOLLOWING FISCAL YEAR.~~

~~(II) IF, IN ANY FISCAL YEAR, THE AMOUNT OF THE ASSESSMENT REVENUE COLLECTED BY THE COMMISSIONER AND DEPOSITED INTO THE FUND IS INSUFFICIENT TO COVER THE ACTUAL EXPENDITURES INCURRED BY THE DIVISION TO CARRY OUT ITS DUTIES UNDER THIS SUBTITLE, AND EXPENDITURES ARE MADE IN ACCORDANCE WITH THE BUDGET AMENDMENT PROCEDURE PROVIDED FOR IN § 7-209 OF THE STATE FINANCE AND PROCUREMENT ARTICLE, AN ADDITIONAL ASSESSMENT MAY BE MADE.~~

~~(F) (1) THE STATE TREASURER IS THE CUSTODIAN OF THE FUND.~~

~~(2) THE FUND SHALL BE INVESTED AND REINVESTED IN THE SAME MANNER AS STATE FUNDS.~~

~~(3) THE STATE TREASURER SHALL DEPOSIT PAYMENTS RECEIVED FROM THE COMMISSIONER INTO THE FUND.~~

~~(G) (1) THE FUND IS A CONTINUING, NONLAPSING FUND THAT IS NOT SUBJECT TO § 7-302 OF THE STATE FINANCE AND PROCUREMENT ARTICLE.~~

~~(2) NO PART OF THE FUND MAY REVERT OR BE CREDITED TO:~~

~~(I) THE GENERAL FUND OF THE STATE, OR~~

~~(II) A SPECIAL FUND OF THE STATE, UNLESS OTHERWISE PROVIDED BY LAW.~~

6-306.

~~(A) (1) THE DIVISION SHALL EVALUATE EACH MATTER PENDING BEFORE THE COMMISSIONER TO DETERMINE WHETHER THE INTERESTS OF INSURANCE CONSUMERS ARE AFFECTED.~~

~~(2) IF THE DIVISION DETERMINES THAT THE INTERESTS OF INSURANCE CONSUMERS ARE AFFECTED, THE DIVISION SHALL APPEAR BEFORE THE COMMISSIONER AND COURTS ON BEHALF OF INSURANCE CONSUMERS IN EACH MATTER OR PROCEEDING OVER WHICH THE COMMISSIONER HAS ORIGINAL JURISDICTION.~~

~~(B) (1) THE DIVISION SHALL REVIEW ANY PROPOSED RATE INCREASE OF 10% OR MORE FILED WITH THE COMMISSIONER BY A HEALTH INSURER, LIFE INSURER, OR PROPERTY AND CASUALTY INSURER.~~

~~(2) IF THE DIVISION FINDS THAT THE PROPOSED RATE INCREASE IS EXCESSIVE OR OTHERWISE ADVERSE TO THE INTERESTS OF INSURANCE CONSUMERS, THE DIVISION SHALL APPEAR BEFORE THE COMMISSIONER ON BEHALF OF INSURANCE CONSUMERS IN ANY HEARING ON THE RATE FILING.~~