

(i) at the market value of the investment on the date of the valuation; or

(ii) if there is no readily available market, in accordance with the terms of the written agreement referred to in subsection [(c)] (A) of this section.

(2) (i) If a separate investment account provides a fixed guaranteed return that is not subject to market value adjustment, the life insurer shall hold assets that equal or exceed the reserve amount that would be required if the separate investment account was an obligation of the life insurer's general account.

(ii) An asset held under subparagraph (i) of this paragraph shall be valued in accordance with §§ 5-401 and 5-402 of this title.

16-113.

(d) (3) Amounts allocated to a separate account and any resulting accumulations may be invested and reinvested subject only to §§ 5-506, 5-507, and [5-512(d), (g), (h), (i), (j), and (k)] **5-512(B), (E), (F), (G), (H), AND (I)** of this article and regulations adopted under subsection (e) of this section.

16-602.

(a) (1) A segregated asset account may invest in any investments contractually permitted for the segregated asset account and specified in [the] A plan of operation [issued to a qualified plan, as defined in § 5-512(a) of this article], and the restrictions, limitations, and other provisions of this article relating to investments shall not apply to the investments contained in the segregated asset account, provided that prior to delivery or issuance for delivery in the State, the form of the policy or annuity contract and the plan of operation [has] **HAVE** been filed with and approved by the Commissioner.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 2007.

Approved by the Governor, April 10, 2007.