REVISOR'S NOTE: This section is new language derived without substantive change from former Art. 101, § 91(d)(1).

In the introductory language of subsection (a) of this section, the introductory phrase of the first sentence of former Art. 101, § 91(d) is deleted as surplusage.

Also in the introductory language of subsection (a) of this section, the phrase "as defined in § 102 of this article", which formerly modified "uninsured employer", is deleted as unnecessary since the defined meaning is presumed to apply unless the context requires otherwise.

In subsection (b) of this section, the former language "when an injury occurred on or after the first day of January, 1968, or in death cases, where death is the result of an injury occurring on or after that date", is deleted as obsolete.

Defined terms: "Commission" § 9-101
"Compensation" § 9-101 "Fund" § 9-1001
"Uninsured employer" § 9-1001

9-1006. ASSESSMENT AGAINST INSURER.

(A) IN GENERAL.

THE COMMISSION MAY ASSESS AN INSURER $300 IF:

(1) THE INSURER FAILS TO COMPLY WITH THE REQUIREMENTS OF THE COMMISSION ABOUT CERTIFICATION OF INSURANCE WITH THE COMMISSION; AND

(2) THE COMMISSION FINDS THAT THE FUND OR THE COMMISSION WAS REQUIRED TO INVESTIGATE OR ATTEND A HEARING TO DETERMINE WHETHER AN EMPLOYER HAS INSURANCE.

(B) ADDITIONAL ASSESSMENT.

THE COMMISSION MAY ASSESS THE INSURER AN ADDITIONAL $300 FOR EACH SUBSEQUENT FAILURE TO COMPLY WITH THE INSURANCE CERTIFICATION REQUIREMENTS OF THE COMMISSION.

(C) PAYMENT INTO FUND.

THE COMMISSION SHALL DIRECT PAYMENT OF AN ASSESSMENT UNDER SUBSECTION (A) OR (B) OF THIS SECTION INTO THE FUND.

(D) NOTIFICATION OF INSURANCE COMMISSIONER.

IF AN INSURER FAILS TO COMPLY WITH THE INSURANCE CERTIFICATION REQUIREMENTS OF THE COMMISSION 5 TIMES IN A FISCAL YEAR, THE COMMISSION MAY:

(1) NOTIFY THE INSURANCE COMMISSIONER; AND