

(f) (1) The Fund is a continuing, nonlapsing fund and is not subject to § 7-302 of the State Finance and Procurement Article, and may not be deemed a part of the General Fund.

(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.]

SECTION 3. AND BE IT FURTHER ENACTED, That the Laws of Maryland read as follows:

Article - Insurance

SUBTITLE 5. INSURANCE ASSESSMENT FEE REGULATION ASSESSMENT.

2-501.

(A) IN THIS SUBTITLE THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.

(B) "ASSESSMENT" MEANS AN ASSESSMENT THAT:

(1) EQUALS THE APPROVED ADMINISTRATION'S ANNUAL BUDGET APPROPRIATION, ~~EXCLUDING THE APPROPRIATION FOR THE BUDGET OF THE INSURANCE FRAUD DIVISION,~~ LESS THE FEES COLLECTED UNDER § 2-112 OF THIS TITLE ARTICLE; AND

(2) DOES NOT EXCEED ~~30%~~ 40% OF THE ADMINISTRATION'S APPROVED BUDGET APPROPRIATION, ~~EXCLUDING THE APPROPRIATION FOR THE BUDGET OF THE INSURANCE FRAUD DIVISION.~~

(C) "FUND" MEANS THE INSURANCE REGULATION FUND ESTABLISHED UNDER § 2-505 OF THIS SUBTITLE.

(D) (1) "HEALTH INSURER" MEANS AN INSURER THAT HOLDS A CERTIFICATE OF AUTHORITY ISSUED BY THE COMMISSIONER TO ENGAGE IN THE BUSINESS OF HEALTH INSURANCE.

(2) "HEALTH INSURER" INCLUDES:

(I) A HEALTH MAINTENANCE ORGANIZATION OPERATING UNDER A CERTIFICATE OF AUTHORITY ISSUED BY THE COMMISSIONER UNDER TITLE 19, SUBTITLE 7 OF THE HEALTH - GENERAL ARTICLE;

(II) A NONPROFIT HEALTH SERVICE PLAN OPERATING UNDER TITLE 14, SUBTITLE 1 OF THIS ARTICLE; AND

(III) A DENTAL PLAN OPERATING UNDER TITLE 14, SUBTITLE 4 OF THIS ARTICLE.

(E) "HEALTH INSURER ASSESSMENT PORTION" MEANS ~~THE PRODUCT OF TWO THIRDS MULTIPLIED BY TWO THIRDS~~ 45% OF THE ASSESSMENT.