

HOUSE BILL 189

C4

8lr1641
CF 8lr1628

By: **Delegate M. Washington**

Introduced and read first time: January 18, 2018

Assigned to: Economic Matters

Committee Report: Favorable with amendments

House action: Adopted

Read second time: February 7, 2018

CHAPTER _____

1 AN ACT concerning

2 **Insurance – Slavery Era Insurance Policy Reporting – Repeal**

3 FOR the purpose of repealing obsolete provisions of law that required certain insurers to
4 provide the Maryland Insurance Commissioner with certain information and
5 documents regarding slavery era insurance policies, and required the Commissioner
6 to issue a certain report on slavery era insurance policies, ~~and governed the~~
7 ~~distribution and maintenance of a certain report~~ and provide a certain report to the
8 Governor and the General Assembly; and generally relating to slavery era insurance
9 policy reporting.

10 BY repealing

11 Article – Insurance

12 ~~Section 30–101 through 30–103 and the title “Title 30. Slavery Era Insurance Policy~~
13 ~~Reporting”~~ Section 30–101 through 30–103

14 Annotated Code of Maryland

15 (2017 Replacement Volume)

16 BY adding to

17 Article – Insurance

18 Section 30–101 to be under the amended title “Title 30. Slavery Era Insurance Policy
19 Report”

20 Annotated Code of Maryland

21 (2017 Replacement Volume)

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



1 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
2 That the Laws of Maryland read as follows:

3 **Article – Insurance**

4 ~~¶~~Title 30. Slavery Era Insurance Policy ~~Reporting~~ **REPORT.**~~¶~~

5 [30–101.

6 (a) In this title the following words have the meanings indicated.

7 (b) “Reporting insurer” means an insurer that is a member of a holding company
8 that has been designated by the holding company as responsible for submitting a report
9 under § 30–102 of this title on behalf of the insurer and other insurers in the holding
10 company.

11 (c) “Slave” means an individual:

12 (1) who had no freedom of action;

13 (2) whose person and services were wholly under the control of another;

14 (3) who was in a state of enforced compulsory service to another; and

15 (4) who could not legally leave enforced compulsory service to another on
16 the individual’s own initiative during the individual’s lifetime before the end of the slavery
17 era.

18 (d) “Slaveholder” means:

19 (1) an owner of a slave;

20 (2) an owner of a commercial enterprise that used the services of a slave;

21 (3) an owner of a vessel or other means of transporting slaves; or

22 (4) a person dealing in the purchase, sale, or financing of the business of
23 slaves and slavery.

24 (e) “Slaveholder insurance policy” means a policy issued to or for the benefit of a
25 slaveholder to insure the slaveholder against injury to a slave or the death of a slave.

26 (f) “Slavery era” means years prior to 1865.]

27 [30–102.

1 (a) On or before October 1, 2011, an insurer authorized to do business in the State
2 shall provide the Commissioner with:

3 (1) a report of information in the records of the insurer about each
4 slaveholder insurance policy issued in the State by the insurer, or any predecessor of the
5 insurer, during the slavery era; and

6 (2) a copy of each document in the insurer's records that relates to the
7 information provided under item (1) of this subsection.

8 (b) A holding company may designate one insurer in the holding company to be a
9 reporting insurer on behalf of the member insurers of the holding company.

10 (c) On or before January 1, 2010, the Commissioner shall adopt regulations that
11 specify the form and content of the report required under this section.]

12 **[30-103.**

13 (a) (1) On or before April 1, 2012, the Commissioner shall issue a report on the
14 information provided to the Commissioner under § 30-102 of this title.

15 (2) The report required under this section shall:

16 (i) contain the names of any slaveholders or slaves provided under
17 § 30-102 of this title; and

18 (ii) include a copy of each document provided to the Commissioner
19 under § 30-102 of this title.

20 (b) (1) The report required under this section shall be made available to the
21 public.

22 (2) The Commissioner shall make a copy of the report available on the Web
23 site of the Administration.

24 (c) The Commissioner shall provide a copy of the report required under this
25 section to the Governor and, in accordance with § 2-1246 of the State Government Article,
26 the General Assembly.

27 (d) A copy of the report shall be maintained at the Thurgood Marshall Law
28 Library at the University of Maryland School of Law.]

29 **30-101.**

1 **(A) THE COMMISSIONER SHALL MAKE A COPY OF THE SLAVE ERA**
2 **INSURANCE POLICY REPORT ISSUED BY THE ADMINISTRATION IN APRIL 2012**
3 **AVAILABLE ON THE WEBSITE OF THE ADMINISTRATION.**

4 **(B) A COPY OF THE REPORT DESCRIBED UNDER SUBSECTION (A) OF THIS**
5 **SECTION SHALL BE MAINTAINED AT THE THURGOOD MARSHALL LIBRARY AT THE**
6 **UNIVERSITY OF MARYLAND SCHOOL OF LAW.**

7 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
8 October 1, 2018.

Approved:

Governor.

Speaker of the House of Delegates.

President of the Senate.