

# SENATE BILL 751

C4  
SB 553/08 – FIN

9lr2714

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By: **Senator Gladden**

Introduced and read first time: February 6, 2009

Assigned to: Finance

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## A BILL ENTITLED

1 AN ACT concerning

2 **Insurance – Slavery Era Insurance Policies – Reporting**

3 FOR the purpose of requiring certain insurers to provide the Maryland Insurance  
4 Commissioner with a report of certain information about certain slaveholder  
5 insurance policies issued during the slavery era; authorizing a holding company  
6 to designate an insurer in the holding company to be a reporting insurer on  
7 behalf of the member insurers of the holding company; requiring the  
8 Commissioner to adopt regulations that specify the form and content of a  
9 certain report; requiring the Commissioner to issue a certain report; requiring a  
10 certain report to contain certain names; requiring a certain report to be made  
11 available to the public; requiring the Commissioner to make a copy of a certain  
12 report available on a certain website; requiring the Commissioner to provide a  
13 copy of a certain report to the Governor and the General Assembly; defining  
14 certain terms; and generally relating to the reporting of slavery era insurance  
15 policies.

16 BY adding to

17 Article – Insurance

18 Section 30–101 through 30–103 to be under the new title “Title 30. Slavery Era  
19 Insurance Policy Reporting”

20 Annotated Code of Maryland

21 (2006 Replacement Volume and 2008 Supplement)

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

24 **Article – Insurance**

25 **TITLE 30. SLAVERY ERA INSURANCE POLICY REPORTING.**

26 **30–101.**

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1           (A) IN THIS TITLE THE FOLLOWING WORDS HAVE THE MEANINGS  
2 INDICATED.

3           (B) **“REPORTING INSURER”** MEANS AN INSURER THAT IS A MEMBER OF  
4 A HOLDING COMPANY THAT HAS BEEN DESIGNATED BY THE HOLDING COMPANY  
5 AS RESPONSIBLE FOR SUBMITTING A REPORT UNDER § 30-102 OF THIS TITLE  
6 ON BEHALF OF THE INSURER AND OTHER INSURERS IN THE HOLDING COMPANY.

7           (C) **“SLAVE”** MEANS AN INDIVIDUAL:

8                   (1) WHO HAD NO FREEDOM OF ACTION;

9                   (2) WHOSE PERSON AND SERVICES WERE WHOLLY UNDER THE  
10 CONTROL OF ANOTHER;

11                  (3) WHO WAS IN A STATE OF ENFORCED COMPULSORY SERVICE  
12 TO ANOTHER; AND

13                  (4) WHO COULD NOT LEGALLY LEAVE ENFORCED COMPULSORY  
14 SERVICE TO ANOTHER ON THE INDIVIDUAL’S OWN INITIATIVE DURING THE  
15 INDIVIDUAL’S LIFETIME BEFORE THE END OF THE SLAVERY ERA.

16           (D) **“SLAVEHOLDER”** MEANS:

17                   (1) AN OWNER OF A SLAVE;

18                   (2) AN OWNER OF A COMMERCIAL ENTERPRISE THAT USED THE  
19 SERVICES OF A SLAVE;

20                  (3) AN OWNER OF A VESSEL OR OTHER MEANS OF TRANSPORTING  
21 SLAVES; OR

22                  (4) A PERSON DEALING IN THE PURCHASE, SALE, OR FINANCING  
23 OF THE BUSINESS OF SLAVES AND SLAVERY.

24           (E) **“SLAVEHOLDER INSURANCE POLICY”** MEANS A POLICY ISSUED TO  
25 OR FOR THE BENEFIT OF A SLAVEHOLDER TO INSURE THE SLAVEHOLDER  
26 AGAINST INJURY TO A SLAVE OR THE DEATH OF A SLAVE.

27           (F) **“SLAVERY ERA”** MEANS YEARS PRIOR TO 1865.

28 **30-102.**

1       (A) AN INSURER AUTHORIZED TO DO BUSINESS IN THE STATE SHALL  
2 PROVIDE THE COMMISSIONER WITH A REPORT OF INFORMATION IN THE  
3 RECORDS OF THE INSURER ABOUT EACH SLAVEHOLDER INSURANCE POLICY  
4 ISSUED IN THE STATE BY THE INSURER, OR ANY PREDECESSOR OF THE  
5 INSURER, DURING THE SLAVERY ERA.

6       (B) A HOLDING COMPANY MAY DESIGNATE ONE INSURER IN THE  
7 HOLDING COMPANY TO BE A REPORTING INSURER ON BEHALF OF THE MEMBER  
8 INSURERS OF THE HOLDING COMPANY.

9       (C) THE COMMISSIONER SHALL ADOPT REGULATIONS THAT SPECIFY  
10 THE FORM AND CONTENT OF THE REPORT REQUIRED UNDER THIS SECTION.

11 **30-103.**

12       (A) (1) THE COMMISSIONER SHALL ISSUE A REPORT ON THE  
13 INFORMATION PROVIDED TO THE COMMISSIONER UNDER § 30-102 OF THIS  
14 TITLE.

15               (2) THE REPORT REQUIRED UNDER THIS SECTION SHALL  
16 CONTAIN THE NAMES OF ANY SLAVEHOLDERS OR SLAVES PROVIDED UNDER §  
17 30-102 OF THIS TITLE.

18       (B) (1) THE REPORT REQUIRED UNDER THIS SECTION SHALL BE  
19 MADE AVAILABLE TO THE PUBLIC.

20               (2) THE COMMISSIONER SHALL MAKE A COPY OF THE REPORT  
21 AVAILABLE ON THE WEBSITE OF THE ADMINISTRATION.

22       (C) THE COMMISSIONER SHALL PROVIDE A COPY OF THE REPORT  
23 REQUIRED UNDER THIS SECTION TO THE GOVERNOR AND, IN ACCORDANCE  
24 WITH § 2-1246 OF THE STATE GOVERNMENT ARTICLE, THE GENERAL  
25 ASSEMBLY.

26       SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
27 October 1, 2009.