

HOUSE BILL 189

C4

8lr1641
CF 8lr1628

By: **Delegate M. Washington**

Introduced and read first time: January 18, 2018

Assigned to: Economic Matters

A BILL ENTITLED

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, required the Commissioner to
6 issue a certain report on slavery era insurance policies, and governed the distribution
7 and maintenance of a certain report; and generally relating to slavery era insurance
8 policy reporting.

9 BY repealing

10 Article – Insurance

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

13 Annotated Code of Maryland
14 (2017 Replacement Volume)

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

17 **Article – Insurance**

18 **[Title 30. Slavery Era Insurance Policy Reporting.]**

19 **[30–101.**

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

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

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 company.

2 (c) "Slave" means an individual:

3 (1) who had no freedom of action;

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

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

6 (4) who could not legally leave enforced compulsory service to another on
7 the individual's own initiative during the individual's lifetime before the end of the slavery
8 era.

9 (d) "Slaveholder" means:

10 (1) an owner of a slave;

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

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

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

15 (e) "Slaveholder insurance policy" means a policy issued to or for the benefit of a
16 slaveholder to insure the slaveholder against injury to a slave or the death of a slave.

17 (f) "Slavery era" means years prior to 1865.]

18 [30–102.

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

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

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

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

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

1 [30–103.

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

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

5 (i) contain the names of any slaveholders or slaves provided under
6 § 30–102 of this title; and

7 (ii) include a copy of each document provided to the Commissioner
8 under § 30–102 of this title.

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

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

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

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

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