

Chapter 469

(Senate Bill 149)

AN ACT concerning

**Insurance – Application of Premium Tax – Continued Exclusion of Maryland
Automobile Insurance Fund**

FOR the purpose of repealing a certain termination provision for the purpose of continuing the exclusion of the Maryland Automobile Insurance Fund from the list of insurance companies and other persons that are subject to a certain premium tax; making conforming changes; and generally relating to taxation of insurance premiums.

BY repealing and reenacting, without amendments,
Article – Insurance
Section 6–101(a)
Annotated Code of Maryland
(2017 Replacement Volume and 2020 Supplement)

BY repealing and reenacting, with amendments,
Article – Insurance
Section 6–101(b)
Annotated Code of Maryland
(2017 Replacement Volume and 2020 Supplement)

BY repealing and reenacting, with amendments,
Chapter 509 of the Acts of the General Assembly of 2017
Section 4

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

Article – Insurance

6–101.

(a) The following persons are subject to taxation under this subtitle:

(1) a person engaged as principal in the business of writing insurance contracts, surety contracts, guaranty contracts, or annuity contracts;

(2) a managed care organization authorized by Title 15, Subtitle 1 of the Health – General Article;

(3) a for–profit health maintenance organization authorized by Title 19, Subtitle 7 of the Health – General Article;

- (4) an attorney in fact for a reciprocal insurer; and
- (5) a credit indemnity company.

(b) The following persons are not subject to taxation under this subtitle:

(1) a nonprofit health service plan corporation that meets the requirements established under §§ 14–106 and 14–107 of this article;

(2) a fraternal benefit society;

(3) a surplus lines broker, who is subject to taxation in accordance with Title 3, Subtitle 3 of this article;

(4) an unauthorized insurer, who is subject to taxation in accordance with Title 4, Subtitle 2 of this article; ~~or~~ and]

(5) a nonprofit health maintenance organization authorized by Title 19, Subtitle 7 of the Health – General Article that is exempt from taxation under § 501(c)(3) of the Internal Revenue Code; ~~OR~~ AND

(6) THE MARYLAND AUTOMOBILE INSURANCE FUND.

Chapter 509 of the Acts of 2017

SECTION 4. AND BE IT FURTHER ENACTED, That Sections 1 and 3 of this Act shall take effect January 1, 2018. [Sections 1 and] SECTION 3 of this Act shall remain effective for a period of 4 years and 6 months and, at the end of June 30, 2022, with no further action required by the General Assembly, [Sections 1 and] SECTION 3 of this Act shall be abrogated and of no further force and effect.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2021.

Enacted under Article II, § 17(c) of the Maryland Constitution, May 30, 2021.