

SENATE BILL 751

C4
SB 553/08 – FIN

9lr2714

By: ~~Senator Gladden~~ Senators Gladden, Middleton, Astle, Della, Exum, Garagiola, Glassman, Kelley, Kittleman, Klausmeier, Pipkin, and Pugh Pugh, Currie, Jones, Raskin, Conway, Muse, McFadden, and Harrington

Introduced and read first time: February 6, 2009

Assigned to: Finance

Committee Report: Favorable with amendments

Senate action: Adopted with floor amendments

Read second time: March 18, 2009

CHAPTER _____

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, on or before a certain date, of certain information
5 about certain slaveholder insurance policies issued during the slavery era, and a
6 copy of certain documents that relate to the information; authorizing a holding
7 company to designate an insurer in the holding company to be a reporting
8 insurer on behalf of the member insurers of the holding company; requiring the
9 Commissioner to adopt regulations that specify the form and content of a
10 certain report on or before a certain date; requiring the Commissioner to issue a
11 certain report on or before a certain date; requiring a certain report to contain
12 certain names and include copies of certain documents; requiring a certain
13 report to be made available to the public; requiring the Commissioner to make a
14 copy of a certain report available on a certain website; requiring the
15 Commissioner to provide a copy of a certain report to the Governor and the
16 General Assembly; requiring a copy of a certain report to be maintained at a
17 certain location; defining certain terms; and generally relating to the reporting
18 of slavery era insurance policies.

19 BY adding to

20 Article – Insurance

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

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 Annotated Code of Maryland
2 (2006 Replacement Volume and 2008 Supplement)

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

5 **Article – Insurance**

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

7 **30–101.**

8 (A) IN THIS TITLE THE FOLLOWING WORDS HAVE THE MEANINGS
9 INDICATED.

10 (B) “REPORTING INSURER” MEANS AN INSURER THAT IS A MEMBER OF
11 A HOLDING COMPANY THAT HAS BEEN DESIGNATED BY THE HOLDING COMPANY
12 AS RESPONSIBLE FOR SUBMITTING A REPORT UNDER § 30–102 OF THIS TITLE
13 ON BEHALF OF THE INSURER AND OTHER INSURERS IN THE HOLDING COMPANY.

14 (C) “SLAVE” MEANS AN INDIVIDUAL:

15 (1) WHO HAD NO FREEDOM OF ACTION;

16 (2) WHOSE PERSON AND SERVICES WERE WHOLLY UNDER THE
17 CONTROL OF ANOTHER;

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

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

23 (D) “SLAVEHOLDER” MEANS:

24 (1) AN OWNER OF A SLAVE;

25 (2) AN OWNER OF A COMMERCIAL ENTERPRISE THAT USED THE
26 SERVICES OF A SLAVE;

27 (3) AN OWNER OF A VESSEL OR OTHER MEANS OF TRANSPORTING
28 SLAVES; OR

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

3 (E) "SLAVEHOLDER INSURANCE POLICY" MEANS A POLICY ISSUED TO
4 OR FOR THE BENEFIT OF A SLAVEHOLDER TO INSURE THE SLAVEHOLDER
5 AGAINST INJURY TO A SLAVE OR THE DEATH OF A SLAVE.

6 (F) "SLAVERY ERA" MEANS YEARS PRIOR TO 1865.

7 30-102.

8 (A) ~~AN~~ ON OR BEFORE OCTOBER 1, 2011, AN INSURER AUTHORIZED TO
9 DO BUSINESS IN THE STATE SHALL PROVIDE THE COMMISSIONER WITH:

10 (1) A REPORT OF INFORMATION IN THE RECORDS OF THE
11 INSURER ABOUT EACH SLAVEHOLDER INSURANCE POLICY ISSUED IN THE STATE
12 BY THE INSURER, OR ANY PREDECESSOR OF THE INSURER, DURING THE
13 SLAVERY ERA; AND

14 (2) A COPY OF EACH DOCUMENT IN THE INSURER'S RECORDS
15 THAT RELATES TO THE INFORMATION PROVIDED UNDER ITEM (1) OF THIS
16 SUBSECTION.

17 (B) A HOLDING COMPANY MAY DESIGNATE ONE INSURER IN THE
18 HOLDING COMPANY TO BE A REPORTING INSURER ON BEHALF OF THE MEMBER
19 INSURERS OF THE HOLDING COMPANY.

20 (C) ~~THE~~ ON OR BEFORE JANUARY 1, 2010, THE COMMISSIONER SHALL
21 ADOPT REGULATIONS THAT SPECIFY THE FORM AND CONTENT OF THE REPORT
22 REQUIRED UNDER THIS SECTION.

23 30-103.

24 (A) (1) ~~THE~~ ON OR BEFORE APRIL 1, 2012, THE COMMISSIONER
25 SHALL ISSUE A REPORT ON THE INFORMATION PROVIDED TO THE
26 COMMISSIONER UNDER § 30-102 OF THIS TITLE.

27 (2) THE REPORT REQUIRED UNDER THIS SECTION SHALL:

28 (I) CONTAIN THE NAMES OF ANY SLAVEHOLDERS OR SLAVES
29 PROVIDED UNDER § 30-102 OF THIS TITLE; AND

30 (II) INCLUDE A COPY OF EACH DOCUMENT PROVIDED TO
31 THE COMMISSIONER UNDER § 30-102 OF THIS TITLE.

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

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

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

9 (D) A COPY OF THE REPORT SHALL BE MAINTAINED AT THE THURGOOD
10 MARSHALL LAW LIBRARY AT THE UNIVERSITY OF MARYLAND SCHOOL OF LAW.

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

Approved:

Governor.

President of the Senate.

Speaker of the House of Delegates.