

SENATE BILL 553

C4

8lr0964

By: **Senator Gladden**

Introduced and read first time: February 1, 2008

Assigned to: Finance

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 2007 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.**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 **30-101.**

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

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

8 (C) "SLAVE" MEANS AN INDIVIDUAL:

9 (1) WHO HAD NO FREEDOM OF ACTION;

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

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

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

17 (D) "SLAVEHOLDER" MEANS:

18 (1) AN OWNER OF A SLAVE;

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

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

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

25 (E) "SLAVEHOLDER INSURANCE POLICY" MEANS A POLICY ISSUED TO
26 OR FOR THE BENEFIT OF A SLAVEHOLDER TO INSURE THE SLAVEHOLDER
27 AGAINST INJURY TO A SLAVE OR THE DEATH OF A SLAVE.

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

29 **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 BY THE INSURER, OR ANY PREDECESSOR OF THE INSURER, DURING THE
5 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, 2008.