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HOUSE BILL 454

**50TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2011**

INTRODUCED BY

Dona G. Irwin

AN ACT

RELATING TO INSURANCE; PROHIBITING RISK RETENTION GROUPS FROM  
WRITING MALPRACTICE LIABILITY INSURANCE.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

SECTION 1. Section 59A-55-11 NMSA 1978 (being Laws 1988,  
Chapter 125, Section 11) is amended to read:

"59A-55-11. PROHIBITED ACTS REGARDING SOLICITATION OR  
SALE.--The following acts by a risk retention group are  
prohibited:

A. the solicitation or sale of insurance by a risk  
retention group to any person who is not eligible for  
membership in such group; ~~and~~

B. the solicitation or sale of insurance by, or  
operation of, a risk retention group that is in hazardous  
financial condition or financially impaired; and

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C. writing health care provider malpractice liability insurance pursuant to the Medical Malpractice Act."