



Rep. Lou Lang

**Filed: 4/11/2005**

09400HB1596ham001

LRB094 08299 LJB 44281 a

1 AMENDMENT TO HOUSE BILL 1596

2 AMENDMENT NO. \_\_\_\_\_. Amend House Bill 1596 by replacing  
3 everything after the enacting clause with the following:

4 "Section 5. The Illinois Insurance Code is amended by  
5 changing Section 397 as follows:

6 (215 ILCS 5/397) (from Ch. 73, par. 1009)

7 Sec. 397. Standard fire policy.

8 (a) → The Director of Insurance shall promulgate such rules  
9 and regulations as may be necessary to effect uniformity in all  
10 basic policies of fire and lightning insurance issued in this  
11 State, to the end that there be concurrency of contract where  
12 two or more companies insure the same risk.

13 (b) Policies issued to one or more industrial insureds, as  
14 defined in Section 121-2.08 of this Code, are not subject to  
15 the rules adopted by the Secretary pursuant to subsection (a)  
16 of this Section with respect to losses caused directly or  
17 indirectly by terrorism if a named insured certifies in writing  
18 that:

19 (1) the insured qualifies as an industrial insured;

20 (2) the insured's aggregate annual premiums for  
21 insurance policies on the types of risks enumerated under  
22 Class 3 of Section 4 of this Code total at least \$100,000;  
23 and

24 (3) the insured has been advised that the policy does

1       not provide coverage to the same extent as basic fire and  
2       lightning insurance with respect to losses caused directly  
3       or indirectly by terrorism.

4       (c) For the purposes of subsection (b) of this Section,  
5       "terrorism" means any of the following:

6               (1) A certified act of terrorism as defined in Section  
7               102 of the federal Terrorism Risk Insurance Act of 2002,  
8               Public Law 107-297.

9               (2) A violent act or an act that is dangerous to human  
10              life, property, or infrastructure that is committed by an  
11              individual or individuals and that appears to be part of an  
12              effort to coerce a civilian population or to influence the  
13              policy or affect the conduct of any government.

14              (3) "Terrorism" as defined in a form that is  
15              voluntarily filed with the Secretary by the insurer.

16       (Source: P.A. 80-1441.)

17       Section 99. Effective date. This Act takes effect upon  
18       becoming law."