



93RD GENERAL ASSEMBLY

State of Illinois

2003 and 2004

Introduced 2/4/2004, by Ira I. Silverstein

SYNOPSIS AS INTRODUCED:

215 ILCS 5/236

from Ch. 73, par. 848

Amends the Illinois Insurance Code. Provides that no life company may refuse to insure, refuse to continue to insure, limit the amount or extent or kind of coverage available to an individual, or charge an individual a different rate for the same coverage for reasons associated with an applicant's or insured's past lawful travel experiences. Effective immediately.

LRB093 20639 SAS 46482 b

1 AN ACT concerning insurance.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The Illinois Insurance Code is amended by
5 changing Section 236 as follows:

6 (215 ILCS 5/236) (from Ch. 73, par. 848)

7 Sec. 236. Discrimination prohibited.

8 (a) No life company doing business in this State shall make
9 or permit any distinction or discrimination in favor of
10 individuals among insured persons of the same class and equal
11 expectation of life in the issuance of its policies, in the
12 amount of payment of premiums or rates charged for policies of
13 insurance, in the amount of any dividends or other benefits
14 payable thereon, or in any other of the terms and conditions of
15 the contracts it makes.

16 (b) No life company shall make or permit any distinction or
17 discrimination against individuals with handicaps or
18 disabilities in the amount of payment of premiums or rates
19 charged for policies of life insurance, in the amount of any
20 dividends or death benefits payable thereon, or in any other
21 terms and conditions of the contract it makes unless the rate
22 differential is based on sound actuarial principles and a
23 reasonable system of classification and is related to actual or
24 reasonably anticipated experience directly associated with the
25 handicap or disability.

26 (c) No life company shall refuse to insure, or refuse to
27 continue to insure, or limit the amount or extent or kind of
28 coverage available to an individual, or charge an individual a
29 different rate for the same coverage solely because of
30 blindness or partial blindness. With respect to all other
31 conditions, including the underlying cause of the blindness or
32 partial blindness, persons who are blind or partially blind

1 shall be subject to the same standards of sound actuarial
2 principles or actual or reasonably anticipated experience as
3 are sighted persons. Refusal to insure includes denial by an
4 insurer of disability insurance coverage on the grounds that
5 the policy defines "disability" as being presumed in the event
6 that the insured loses his or her eyesight. However, an insurer
7 may exclude from coverage disabilities consisting solely of
8 blindness or partial blindness when such condition existed at
9 the time the policy was issued.

10 (d) No life company shall refuse to insure or to continue
11 to insure an individual solely because of the individual's
12 status as a member of the United States Air Force, Army, Coast
13 Guard, Marines, or Navy or solely because of the individual's
14 status as a member of the National Guard or Armed Forces
15 Reserve.

16 (e) No life company may refuse to insure, refuse to
17 continue to insure, limit the amount or extent or kind of
18 coverage available to an individual, or charge an individual a
19 different rate for the same coverage for reasons associated
20 with an applicant's or insured's past lawful travel
21 experiences.

22 (Source: P.A. 87-118.)

23 Section 99. Effective date. This Act takes effect upon
24 becoming law.