**Section 909.85 Advertising and Marketing of Annuities and Variable Life Contracts**

With respect to annuities and variable life contracts, any advertisement or other device designed to produce leads based on a response from a potential insured that is directed toward persons age 65 or older shall prominently disclose that an insurer or insurance producer may contact the applicant if that is the fact. In addition, an insurer or insurance producer who makes contact with a person as a result of acquiring that person's name from a lead generating device shall disclose that fact in the initial contact with the person.

a) No insurer, insurance producer, solicitor, or other person or other entity shall solicit persons age 65 and older in this State through the use of a name that is deceptive or misleading.

b) Advertisements shall not employ words, letters, initials, symbols or other devices that are so similar to those used by governmental agencies, a nonprofit or charitable institution, senior organization, or other insurer that they could have the capacity or tendency to mislead the public.

c) No advertisement may imply that the reader may lose a right or privilege or benefits under federal, State, or local law if he or she fails to respond to the advertisement.

d) An insurer, insurance producer, or other entity may not use an address so as to mislead or deceive as to the true identity, location, or licensing status of the insurer, insurance producer, or other entity.

e) In addition to any other prohibition on untrue, deceptive, or misleading advertisements, no advertisement for an event where insurance products will be offered for sale may use the terms "seminar", "class", "informational meeting", or substantially equivalent terms to characterize the purpose of the public gathering or event unless it adds the words "and insurance sales presentation" immediately following those terms in the same type size and font as those terms.

(Source: Added at 31 Ill. Reg. 12732, effective January 1, 2008)