**Section 934.40 Utilization of the 1958 CSO and CET Smoker and Nonsmoker Mortality Tables**

a) In determining minimum reserve liabilities, minimum cash surrender values and amounts of paid-up nonforfeiture benefits the 1958 CSO and CET Smoker and Nonsmoker Mortality Tables may only be used as set forth in this Section. The requirements of this Section shall apply to any insurance policy to be delivered or issued for delivery in this State after the operative date chosen by the company for that policy form pursuant to Section 229.2(4c)(k) of the Illinois Insurance Code (Ill. Rev. Stat. 1983 and 1984 Supp., ch. 73, par. 841.2(4c)(k)) and before January 1, 1989.

b) A company may elect to use the 1958 CSO Smoker and Nonsmoker Mortality Tables rather than the 1980 CSO Table, with or without Ten Year Mortality Factors.

c) A company may elect to use 1958 CET Smoker and Nonsmoker Mortality Tables rather than the 1980 CET Table.

d) For any category of insurance issued on female lives with minimum reserve liabilities and minimum cash surrender values and amounts of paid-up nonforfeiture benefits determined using the 1958 CSO or 1958 CET Smoker and Nonsmoker Mortality Tables, such minimum value may be calculated according to an age not more than six years younger than the actual age of the insured.

e) The 1958 CSO and CET Smoker and Nonsmoker Mortality Tables shall be utilized only if they are applicable to every insurance policy corresponding to the policy form for which the company has elected to use these tables.

f) A company's election to use the 1958 CSO and/or CET Smoker and Nonsmoker Mortality Tables is final and may not be reversed under any circumstance.

g) Utilization of the 1958 CSO and CET Smoker Mortality Tables is subject to the conditions set forth in Section 934.60.