

# HB1068



## 103RD GENERAL ASSEMBLY

State of Illinois

2023 and 2024

HB1068

Introduced 1/12/2023, by Rep. Rita Mayfield

### SYNOPSIS AS INTRODUCED:

215 ILCS 5/236

from Ch. 73, par. 848

Amends the Illinois Insurance Code. Provides that an insurer or producer authorized to issue policies of insurance in the State may not make a distinction or otherwise discriminate between persons, reject an applicant, cancel a policy, or demand or require a higher rate of premium for reasons based solely upon the basis that an applicant or insured has been convicted of a felony.

LRB103 00058 BMS 45058 b

A BILL FOR

1 AN ACT concerning regulation.

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  
9 make 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  
17 or discrimination against individuals with disabilities in the  
18 amount of payment of premiums or rates charged for policies of  
19 life insurance, in the amount of any dividends or death  
20 benefits payable thereon, or in any other terms and conditions  
21 of the contract it makes unless the rate differential is based  
22 on sound actuarial principles and a reasonable system of  
23 classification and is related to actual or reasonably

1 anticipated experience directly associated with the  
2 disability.

3 (c) No life company shall refuse to insure, or refuse to  
4 continue to insure, or limit the amount or extent or kind of  
5 coverage available to an individual, or charge an individual a  
6 different rate for the same coverage solely because of  
7 blindness or partial blindness. With respect to all other  
8 conditions, including the underlying cause of the blindness or  
9 partial blindness, persons who are blind or partially blind  
10 shall be subject to the same standards of sound actuarial  
11 principles or actual or reasonably anticipated experience as  
12 are sighted persons. Refusal to insure includes denial by an  
13 insurer of disability insurance coverage on the grounds that  
14 the policy defines "disability" as being presumed in the event  
15 that the insured loses his or her eyesight. However, an  
16 insurer may exclude from coverage disabilities consisting  
17 solely of blindness or partial blindness when such condition  
18 existed at the time the policy was issued.

19 (d) No life company shall refuse to insure or to continue  
20 to insure an individual solely because of the individual's  
21 status as a member of the United States Air Force, Army, Coast  
22 Guard, Marines, or Navy or solely because of the individual's  
23 status as a member of the National Guard or Armed Forces  
24 Reserve.

25 (e) An insurer or producer authorized to issue policies of  
26 insurance in this State may not make a distinction or

1 otherwise discriminate between persons, reject an applicant,  
2 cancel a policy, or demand or require a higher rate of premium  
3 for reasons based solely upon an applicant's or insured's past  
4 lawful travel experiences or future lawful travel plans. This  
5 subsection (e) does not prohibit an insurer or producer from  
6 excluding or limiting coverage under a policy or refusing to  
7 offer the policy based upon past lawful travel or future  
8 lawful travel plans or from charging a different rate for that  
9 coverage when that action is based upon sound actuarial  
10 principles or is related to actual or reasonably expected  
11 experience and is not based solely on the destination's  
12 inclusion on the United States Department of State's travel  
13 warning list.

14 (f) An insurer or producer authorized to issue policies of  
15 insurance in this State may not make a distinction or  
16 otherwise discriminate between persons, reject an applicant,  
17 cancel a policy, or demand or require a higher rate of premium  
18 for reasons based solely upon the basis that an applicant or  
19 insured has been convicted of a felony.

20 (Source: P.A. 99-143, eff. 7-27-15.)