



103RD GENERAL ASSEMBLY

State of Illinois

2023 and 2024

HB2842

Introduced 2/16/2023, by Rep. Thaddeus Jones

SYNOPSIS AS INTRODUCED:

215 ILCS 5/143.13b new

215 ILCS 5/155.22

215 ILCS 5/424

from Ch. 73, par. 767.22

from Ch. 73, par. 1031

Amends the Illinois Insurance Code. Provides that any policy of automobile insurance that carries comprehensive coverage may not exclude theft coverage for lack of evidence of forcible entry or for the insured leaving the vehicle unlocked or leaving a key or key fob in the motor vehicle. Provides that no company authorized to transact insurance business in the State and no officer, director, agent, clerk, employee, or broker of such company shall upon proper application refuse to provide insurance on the basis of the specific geographic location of the risk sought to be insured (rather than solely on the basis of the specific geographic location). Provides that making or permitting any unfair discrimination between individuals or risks of the same class or of essentially the same hazard and expense element because of the geographic location of the insurance risks or applicants is an unfair method of competition and unfair and deceptive act or practice in the business of insurance. Effective 60 days after becoming law.

LRB103 27138 BMS 57245 b

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 Sections 155.22 and 424 and by adding Section 143.13b
6 as follows:

7 (215 ILCS 5/143.13b new)

8 Sec. 143.13b. Coverage for motor vehicle theft. Any policy
9 of automobile insurance that carries comprehensive coverage
10 may not exclude theft coverage for lack of evidence of
11 forcible entry or for the insured leaving the vehicle unlocked
12 or leaving a key or key fob in the motor vehicle.

13 (215 ILCS 5/155.22) (from Ch. 73, par. 767.22)

14 Sec. 155.22. No company authorized to transact in this
15 State the kinds of business described in Classes 2 and 3 of
16 Section 4, and no officer, director, agent, clerk, employee or
17 broker of such company shall upon proper application refuse to
18 provide insurance ~~solely~~ on the basis of the specific
19 geographic location of the risk sought to be insured unless
20 such refusal is for a business purpose which is not a mere
21 pretext for unfair discrimination.

22 (Source: P.A. 84-1431.)

1 (215 ILCS 5/424) (from Ch. 73, par. 1031)

2 Sec. 424. Unfair methods of competition and unfair or
3 deceptive acts or practices defined. The following are hereby
4 defined as unfair methods of competition and unfair and
5 deceptive acts or practices in the business of insurance:

6 (1) The commission by any person of any one or more of
7 the acts defined or prohibited by Sections 134, 143.24c,
8 147, 148, 149, 151, 155.22, 155.22a, 155.42, 236, 237,
9 364, 469, and 513b1 of this Code.

10 (2) Entering into any agreement to commit, or by any
11 concerted action committing, any act of boycott, coercion
12 or intimidation resulting in or tending to result in
13 unreasonable restraint of, or monopoly in, the business of
14 insurance.

15 (3) Making or permitting, in the case of insurance of
16 the types enumerated in Classes 1, 2, and 3 of Section 4,
17 any unfair discrimination between individuals or risks of
18 the same class or of essentially the same hazard and
19 expense element because of the race, color, religion, ~~or~~
20 national origin, or geographic location of such insurance
21 risks or applicants. The application of this Article to
22 the types of insurance enumerated in Class 1 of Section 4
23 shall in no way limit, reduce, or impair the protections
24 and remedies already provided for by Sections 236 and 364
25 of this Code or any other provision of this Code.

1 (4) Engaging in any of the acts or practices defined
2 in or prohibited by Sections 154.5 through 154.8 of this
3 Code.

4 (5) Making or charging any rate for insurance against
5 losses arising from the use or ownership of a motor
6 vehicle which requires a higher premium of any person by
7 reason of his physical disability, race, color, religion,
8 or national origin.

9 (6) Failing to meet any requirement of the Unclaimed
10 Life Insurance Benefits Act with such frequency as to
11 constitute a general business practice.

12 (Source: P.A. 102-778, eff. 7-1-22.)

13 Section 99. Effective date. This Act takes effect 60 days
14 after becoming law.