



## 103RD GENERAL ASSEMBLY

### State of Illinois

2023 and 2024

**HB4842**

Introduced 2/7/2024, by Rep. Anthony DeLuca

#### SYNOPSIS AS INTRODUCED:

215 ILCS 5/2.3 new

Amends the Illinois Insurance Code. Provides that a secondary source on insurance, including a legal treatise, scholarly publication, textbook, or other explanatory text, does not constitute the law or public policy of the State, and the secondary source on insurance is not persuasive authority if it purports to create, eliminate, expand, or restrict a cause of action, right, or remedy, or if it conflicts with the United States Constitution or the Illinois Constitution, State law, this State's case law precedent, or other common law that may have been adopted by this State. Effective immediately.

LRB103 38100 RPS 68232 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 adding Section 2.3 as follows:

6 (215 ILCS 5/2.3 new)

7 Sec. 2.3. Use of secondary sources on insurance. A  
8 secondary source on insurance, including a legal treatise,  
9 scholarly publication, textbook, or other explanatory text,  
10 does not constitute the law or public policy of the State, and  
11 the secondary source is not persuasive authority if the  
12 secondary source purports to create, eliminate, expand, or  
13 restrict a cause of action, right, or remedy, or if it  
14 conflicts with any of the following:

15 (1) The United States Constitution or the Illinois  
16 Constitution.

17 (2) State law.

18 (3) This State's case law precedent.

19 (4) Other common law that may have been adopted by  
20 this State.

21 Section 99. Effective date. This Act takes effect upon  
22 becoming law.