

1 AN ACT concerning insurance.

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 155.37 as follows:

6 (215 ILCS 5/155.37 new)

7 Sec. 155.37. Adverse underwriting decision; notice.

8 (a) If a company makes an adverse underwriting decision,
9 the company responsible for the decision must provide in
10 writing to the applicant, policyholder, or individual
11 proposed for coverage:

12 (1) the specific reason or reasons for the adverse
13 underwriting decision and a notice that upon request the
14 person may receive the specific items of personal
15 information that support those reasons and the specific
16 sources of the information; or

17 (2) the specific reason or reasons for the adverse
18 underwriting decision, the specific items of personal and
19 privileged information that support those reasons, and
20 the names and addresses of the sources that supplied the
21 specific items of information specified.

22 (b) If the adverse underwriting decision is either
23 solely or partially based upon a report of credit worthiness,
24 credit standing, or credit capacity that a company receives
25 from a consumer reporting agency, the company must also
26 provide in writing to the applicant, policyholder, or
27 individual proposed for coverage the specific reason or
28 reasons, including credit score, codes, or other credit-based
29 information used by the company in its underwriting. If the
30 information is based upon a credit score or code, the company
31 must provide a written, easily understandable explanation of

1 the score or code and the name, address, and telephone number
2 of the consumer reporting agency that provided the
3 information.

4 Section 99. Effective date. This Act takes effect upon
5 becoming law.