

1 AMENDMENT TO HOUSE BILL 2419

2 AMENDMENT NO. \_\_\_\_\_. Amend House Bill 2419 by replacing  
3 everything after the enacting clause with the following:

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. Use of credit reports in connection with  
8 certain policies.

9 (a) This Section applies to policies of insurance  
10 defined in subsections (a), (b), and (c) of Section 143.13,  
11 except that this Section does not apply to those personal  
12 lines policies defined in subsection (c) of Section 143.13  
13 that could be classified under clause (g) or (i) of Class 2  
14 of Section 4 or to policies of insurance subject to Article  
15 IX 1/2.

16 (b) An insurance company authorized to do business in  
17 this State may not refuse to issue or renew a policy of  
18 insurance solely on the basis of a credit report. An offer by  
19 an insurance company to write a policy through an insurer  
20 that is an affiliate, as defined in Section 131.1 of this  
21 Code, other than an affiliate that specializes in substandard  
22 risks, with continuous coverage does not constitute a refusal

1 to issue a policy or a nonrenewal within the meaning of this  
2 Section. "Credit report" means a collection of data regarding  
3 a consumer's credit history, credit capacity, or credit  
4 worthiness that has been assembled or evaluated by a consumer  
5 reporting agency as defined in 15 USC 1681a(f).

6 (c) If a credit report is used in conjunction with other  
7 criteria to underwrite an application or renewal of a policy  
8 of insurance, it may not include or be based upon the race,  
9 income, gender, religion, or national origin of the applicant  
10 or insured.

11 (d) If a credit report is used in conjunction with other  
12 criteria to refuse to issue or renew a policy of insurance,  
13 upon request by the applicant or policyholder, the insurer  
14 must provide the applicant or policyholder with the primary  
15 and specific credit information and underwriting reasons  
16 included in the decision including the name, address, and  
17 telephone number of the consumer reporting agency, as defined  
18 in 15 USC 1681a(f), that provided the information.

19 Section 99. Effective date. This Act takes effect  
20 January 1, 2002."