

1 AN ACT to amend the Illinois Insurance Code by adding
2 Section 141.04.

3 Be it enacted by the People of the State of Illinois,
4 represented in the General Assembly:

5 Section 5. The Illinois Insurance Code is amended by
6 adding Section 141.04 as follows:

7 (215 ILCS 5/141.04 new)

8 Sec. 141.04. Liability for credit information used in
9 underwriting. An insurance company transacting business in
10 this State shall indemnify and hold harmless any independent
11 insurance producer representing the company from liability
12 arising out of or relating to actions or inactions of the
13 independent producer concerning the use of credit information
14 relating to an insured or proposed insured used in the
15 underwriting of insurance coverage. The company's obligation
16 to indemnify and hold harmless the insurance producer
17 includes, but is not limited to, indemnification for
18 attorney's fees and costs of investigation, defense,
19 settlements, and judgments.

20 As used in this Section, "independent insurance producer"
21 means an insurance producer representing an insurance company
22 as an independent contractor and not as an employee.