

1 AN ACT concerning insurance. 41

2 Be it enacted by the People of the State of Illinois, 45  
3 represented in the General Assembly: 46

4 Section 5. The Illinois Insurance Code is amended by 49.  
5 adding Section 155.37 as follows: 51

6 (215 ILCS 5/155.37 new) 54

7 Sec. 155.37. Use of credit reports in connection with 56  
8 certain policies.

9 (a) This Section applies to policies of insurance 58  
10 defined in subsections (a), (b), and (c) of Section 143.13, 59  
11 except that this Section does not apply to those personal 60  
12 lines policies defined in subsection (c) of Section 143.13  
13 that could be classified under clause (g) or (i) of Class 2 61  
14 of Section 4 or to policies of insurance subject to Article 63  
15 IX 1/2.

16 (b) An insurance company authorized to do business in 65  
17 this State may not refuse to issue or renew a policy of 67  
18 insurance solely on the basis of a credit report. An offer by 68  
19 an insurance company to write a policy through an insurer 70  
20 that is an affiliate, as defined in Section 131.1 of this  
21 Code, with continuous coverage does not constitute a refusal 71  
22 to issue a policy or a nonrenewal within the meaning of this 73  
23 Section. "Credit report" means a collection of data regarding 75  
24 a consumer's credit history, credit capacity, or credit 76  
25 worthiness that has been assembled or evaluated by a consumer 77  
26 reporting agency as defined in 15 USC 1681a(f). 79

27 (c) If a credit report is used in conjunction with other 81  
28 criteria to underwrite an application or renewal of a policy 83  
29 of insurance, it may not include or be based upon the race, 85  
30 income, gender, religion, or national origin of the applicant 86  
31 or insured.

Clerk of the House

Originated in the House of Representatives

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1            (d) If a credit report is used in conjunction with other            88  
2            criteria to refuse to issue or renew a policy of insurance,            90  
3            the insurer shall provide the applicant or policyholder with            92  
4            a notice of the underwriting action taken. For purposes of  
5            this Section, compliance with the notification requirements            93  
6            of the federal Fair Credit Reporting Act, 15 U.S.C. 1681 et            94  
7            seq., shall be considered to be in compliance with this            95  
8            Section.

9            Section 99. Effective date. This Act takes effect on            98  
10            October 1, 2001.

Michael J. Maligan  
Speaker House of Representatives  
J. Philip  
President of the Senate

APPROVED

this 23rd day of August, 20 01 A.D.,  
George H. Ryan  
GOVERNOR