



## 104TH GENERAL ASSEMBLY

### State of Illinois

2025 and 2026

HB3795

Introduced 2/18/2025, by Rep. Jeff Keicher

#### SYNOPSIS AS INTRODUCED:

215 ILCS 5/155.23

from Ch. 73, par. 767.23

Amends the Illinois Insurance Code. Removes provisions concerning the duties of the Director of Insurance to promulgate reasonable rules requiring insurers doing business in the State of Illinois to report factual information in their possession that is pertinent to suspected fraudulent insurance claims, fraudulent insurance applications, or premium fraud after the Director has made a determination that the information is necessary to detect fraud or arson. Requires insurers to report fraudulent activity to the Director or the National Insurance Crime Bureau, the National Association of Insurance Commissioners, or a similar organization. Removes provisions concerning the Director's designation of data processing organizations or governmental agencies to assist in gathering and compiling fraud information. Sets forth provisions allowing any person who has a reasonable belief that an act of insurance fraud that is or may be a crime under Illinois law has been, is being, or is about to be committed or any person who collects, reviews, or analyzes information concerning insurance fraud that is or may be a crime under Illinois law to report suspected insurance fraud activity to the Director or an authorized representative of an insurer that requests the information for the purpose of directing, prosecuting, or preventing insurance fraud. Effective immediately.

LRB104 10540 BAB 20616 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 changing Section 155.23 as follows:

6 (215 ILCS 5/155.23) (from Ch. 73, par. 767.23)

7 Sec. 155.23. Fraud reporting.

8 (1) Any insurer, as defined in Section 155.24 of this  
9 Code, doing business in the State of Illinois that has  
10 reasonable belief that an act of insurance fraud which is  
11 or may be a crime under Illinois law has been, is being, or  
12 is about to be committed shall furnish and disclose the  
13 knowledge and information to the Director or the National  
14 Insurance Crime Bureau, the National Association of  
15 Insurance Commissioners, or a similar organization who  
16 shall disclose the information to the Director and  
17 cooperate fully with any investigation conducted by the  
18 Director. ~~The Director is authorized to promulgate~~  
19 ~~reasonable rules requiring insurers, as defined in Section~~  
20 ~~155.24, doing business in the State of Illinois to report~~  
21 ~~factual information in their possession that is pertinent~~  
22 ~~to suspected fraudulent insurance claims, fraudulent~~  
23 ~~insurance applications, or premium fraud after he has made~~

1 ~~a determination that the information is necessary to~~  
2 ~~detect fraud or arson. Claim information may include:~~

3 ~~(a) Dates and description of accident or loss.~~

4 ~~(b) Any insurance policy relevant to the accident or~~  
5 ~~loss.~~

6 ~~(c) Name of the insurance company claims adjuster and~~  
7 ~~claims adjuster supervisor processing or reviewing any~~  
8 ~~claim or claims made under any insurance policy relevant~~  
9 ~~to the accident or loss.~~

10 ~~(d) Name of claimant's or insured's attorney.~~

11 ~~(e) Name of claimant's or insured's physician, or any~~  
12 ~~person rendering or purporting to render medical~~  
13 ~~treatment.~~

14 ~~(f) Description of alleged injuries, damage or loss.~~

15 ~~(g) History of previous claims made by the claimant or~~  
16 ~~insured.~~

17 ~~(h) Places of medical treatment.~~

18 ~~(i) Policy premium payment record.~~

19 ~~(j) Material relating to the investigation of the~~  
20 ~~accident or loss, including statements of any person,~~  
21 ~~proof of loss, and any other relevant evidence.~~

22 ~~(k) any facts evidencing fraud or arson.~~

23 ~~The Director shall establish reporting requirements for~~  
24 ~~application and premium fraud information reporting by rule.~~

25 (2) Any person who has a reasonable belief that an act of  
26 insurance fraud that is or may be a crime under Illinois law

1 has been, is being, or is about to be committed or any person  
2 who collects, reviews, or analyzes information concerning  
3 insurance fraud that is or may be a crime under Illinois law  
4 may furnish and disclose any information in the person's  
5 possession concerning such an act to the Director or to an  
6 authorized representative of an insurer that requests the  
7 information for the purpose of detecting, prosecuting, or  
8 preventing insurance fraud. ~~The Director of Insurance may~~  
9 ~~designate one or more data processing organizations or~~  
10 ~~governmental agencies to assist him in gathering such~~  
11 ~~information and making compilations thereof, and may by rule~~  
12 ~~establish the form and procedure for gathering and compiling~~  
13 ~~such information. The rules may name any organization or~~  
14 ~~agency designated by the Director to provide this service, and~~  
15 ~~may in such case provide for a fee to be paid by the reporting~~  
16 ~~insurers directly to the designated organization or agency to~~  
17 ~~cover any of the costs associated with providing this service.~~  
18 ~~After determination by the Director of substantial evidence of~~  
19 ~~false or fraudulent claims, fraudulent applications, or~~  
20 ~~premium fraud, the information shall be forwarded by the~~  
21 ~~Director or the Director's designee to the proper law~~  
22 ~~enforcement agency or prosecutor. Insurers shall have access~~  
23 ~~to, and may use, the information compiled under the provisions~~  
24 ~~of this Section. Insurers shall release information to, and~~  
25 ~~shall cooperate with, any law enforcement agency requesting~~  
26 ~~such information.~~

1           In the absence of malice, no insurer, or person who  
2           furnishes information on its behalf, is liable for damages in  
3           a civil action or subject to criminal prosecution for any oral  
4           or written statement made or any other action taken that is  
5           necessary to supply information required pursuant to this  
6           Section.

7           (Source: P.A. 92-233, eff. 1-1-02.)

8           Section 99. Effective date. This Act takes effect upon  
9           becoming law.