**Section 941.10 Applicability**

*No misrepresentation or false warranty made by the insured or in* the insured's *behalf in the negotiation for a policy of insurance, or breach of a condition of the policy, shall defeat or avoid the policy or prevent its attaching unless such misrepresentation, false warranty or condition shall have been stated in the policy or endorsement, or in a rider to or in the written application for* the policy. *No such misrepresentation or false warranty shall defeat or avoid the policy* or result in denial of an insurance claim *unless it was made with actual intent to deceive or materially affects either the acceptance of the risk or the hazard assumed by the company. With respect to a policy of insurance as defined in* Section 143.13(a), (b) or (c) of the Insurance Code, *except life, accident and health, fidelity and surety, and ocean marine policies, a policy or policy renewal shall not be rescinded after the policy has been in effect for one year or one policy term, whichever is less. This Section shall not apply to policies of marine or transportation insurance.* [215 ILCS 5/154]

(Source: Amended at 46 Ill. Reg. 9863, effective May 31, 2022)