



## 103RD GENERAL ASSEMBLY

### State of Illinois

2023 and 2024

HB5112

Introduced 2/8/2024, by Rep. Daniel Didech

#### SYNOPSIS AS INTRODUCED:

215 ILCS 5/143.19c new

Amends the Illinois Insurance Code. Provides that no insurance carrier that issues policies of automobile insurance in this State shall assign driving record points, cancel, refuse to issue or renew, or charge a higher premium rate for any policy of automobile insurance for the reason that the insured has been involved in a motor vehicle crash and was not at fault. Provides that no insurance carrier that issues policies of automobile insurance in this State shall cancel, refuse to issue or renew, or charge a higher premium for any policy of automobile insurance for the reason that the insured had lower liability limits with a previous insurer without actuarial justification. Provides that the provisions do not apply to an insured who has been convicted of a homicide or assault arising out of the operation of any motor vehicle or driving while under the influence of alcohol, other drug or drugs, intoxicating compound or compounds, or any combination thereof. Provides that the changes made by the amendatory Act applies to policies of automobile insurance that are amended, issued, delivered, or renewed on or after the effective date of the amendatory Act.

LRB103 36265 RPS 66362 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 adding Section 143.19c as follows:

6 (215 ILCS 5/143.19c new)

7 Sec. 143.19c. No-fault motor vehicle crashes.

8 (a) No insurance carrier that issues policies of  
9 automobile insurance in this State shall assign driving record  
10 points, cancel, refuse to issue or renew, or charge a higher  
11 premium rate for any policy of automobile insurance for the  
12 reason that the insured has been involved in a motor vehicle  
13 crash and was not at fault.

14 (b) No insurance carrier that issues policies of  
15 automobile insurance in this State shall cancel, refuse to  
16 issue or renew, or charge a higher premium for any policy of  
17 automobile insurance for the reason that the insured had lower  
18 liability limits with a previous insurer without actuarial  
19 justification. This prohibition includes using prior limits  
20 for company or tier placement unless the insurer provides  
21 actuarial justification.

22 (c) This Section does not apply to an insured who has been  
23 convicted of:

1           (1) homicide or assault arising out of the operation  
2           of any motor vehicle; or

3           (2) a violation of Section 11-501 of the Illinois  
4           Vehicle Code.

5           (d) This Section applies to policies of automobile  
6           insurance that are amended, issued, delivered, or renewed on  
7           or after the effective date of this amendatory Act of the 103rd  
8           General Assembly.