



Rep. Maria Antonia Berrios

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09700HB3385ham001

LRB097 07676 NHT 52996 a

1 AMENDMENT TO HOUSE BILL 3385

2 AMENDMENT NO. _____. Amend House Bill 3385 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Illinois Insurance Code is amended by
5 adding Section 155.43 and changing Section 424 as follows:

6 (215 ILCS 5/155.43 new)

7 Sec. 155.43. Automobile insurance; denial of coverage to
8 unlicensed drivers. An insurer issuing a policy of automobile
9 liability insurance listing a driver as insured shall not deny
10 coverage to that driver for the sole reason that he or she
11 lacks a valid drivers license, provided that such person was
12 identified on the application for the policy as an unlicensed
13 driver. However, nothing in this Section shall prohibit an
14 insurer from requesting or enforcing a named driver exclusion
15 with respect to an unlicensed driver.

1 (215 ILCS 5/424) (from Ch. 73, par. 1031)

2 Sec. 424. Unfair methods of competition and unfair or
3 deceptive acts or practices defined. The following are hereby
4 defined as unfair methods of competition and unfair and
5 deceptive acts or practices in the business of insurance:

6 (1) The commission by any person of any one or more of the
7 acts defined or prohibited by Sections 134, 143.24c, 147, 148,
8 149, 151, 155.22, 155.22a, 236, 237, 364, and 469 of this Code.

9 (2) Entering into any agreement to commit, or by any
10 concerted action committing, any act of boycott, coercion or
11 intimidation resulting in or tending to result in unreasonable
12 restraint of, or monopoly in, the business of insurance.

13 (3) Making or permitting, in the case of insurance of the
14 types enumerated in Classes 1, 2, and 3 of Section 4, any
15 unfair discrimination between individuals or risks of the same
16 class or of essentially the same hazard and expense element
17 because of the race, color, religion, or national origin of
18 such insurance risks or applicants. The application of this
19 Article to the types of insurance enumerated in Class 1 of
20 Section 4 shall in no way limit, reduce, or impair the
21 protections and remedies already provided for by Sections 236
22 and 364 of this Code or any other provision of this Code.

23 (4) Engaging in any of the acts or practices defined in or
24 prohibited by Sections 154.5 through 154.8 of this Code.

25 (5) Making or charging any rate for insurance against
26 losses arising from the use or ownership of a motor vehicle

1 which requires a higher premium of any person by reason of his
2 physical handicap, race, color, religion, or national origin.

3 (6) Advertising or otherwise promoting the sale or
4 solicitation of a policy of automobile insurance that includes
5 a statement that a valid driver's license is not required in
6 order to obtain automobile insurance, followed by the denial of
7 coverage based on the lack of a valid driver's license when a
8 claim is made on such policy of automobile insurance.

9 (Source: P.A. 92-399, eff. 8-16-01; 92-651, eff. 7-11-02;
10 92-669, eff. 1-1-03.)

11 Section 99. Effective date. This Act takes effect upon
12 becoming law."