



Sen. William R. Haine

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09800HB4677sam001

LRB098 17406 RPM 59843 a

1 AMENDMENT TO HOUSE BILL 4677

2 AMENDMENT NO. _____. Amend House Bill 4677 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Illinois Insurance Code is amended by
5 adding Section 357.32 as follows:

6 (215 ILCS 5/357.32 new)

7 Sec. 357.32. Coordination of benefits.

8 (a) No individual or group major medical accident and
9 health insurance policy amended, delivered, issued, or renewed
10 after the effective date of this amendatory Act of the 98th
11 General Assembly shall contain any provision whereby benefits
12 otherwise payable under the policy are subject to reduction
13 solely on account of the existence of similar benefits provided
14 under other major medical accident and health insurance
15 policies where such reduction would operate to reduce total
16 benefits payable under the policies below an amount equal to

1 100% of the total allowable expenses provided under any of the
2 policies.

3 (b) The Director may adopt rules to implement this Section.

4 Section 10. The Health Maintenance Organization Act is
5 amended by changing Section 5-7 as follows:

6 (215 ILCS 125/5-7) (from Ch. 111 1/2, par. 1415)

7 Sec. 5-7. Rules and regulations to carry out provisions of
8 Act. The Director may, after notice and hearing, promulgate
9 reasonable rules and regulations as are necessary and proper
10 to:

11 (1) Establish minimum coverage standards for basic health
12 care services, the application of which standards discriminate
13 against no class of physician;

14 (2) Establish specific standards, including standards for
15 the full and fair disclosure of health care services provided
16 by group or nongroup contracts or evidences of coverage which
17 may cover but shall not be limited to:

18 (a) Coordination of benefits

19 (b) Conversion

20 (c) Cancellation and termination

21 (d) Deductibles and co-payments

22 (e) Pre-existing conditions; and

23 (3) Otherwise carry out the provisions of this Act.

24 (Source: P.A. 86-620.)

1 Section 15. The Title Insurance Act is amended by changing
2 Section 26 as follows:

3 (215 ILCS 155/26)

4 Sec. 26. Settlement funds.

5 (a) A title insurance company, title insurance agent, or
6 independent escrowee shall not make disbursements in
7 connection with any escrows, settlements, or closings out of a
8 fiduciary trust account or accounts unless the funds in the
9 aggregate amount of \$50,000 or greater received from any single
10 party to the transaction are good funds as defined in
11 paragraphs (2), (6), or (7) of subsection (c) of this Section;
12 or are collected funds as defined in subsection (d) of this
13 Section.

14 For the purposes of this subsection (a), where funds in the
15 aggregate amount of \$50,000 or greater are received from any
16 purchaser of residential real property, as defined in paragraph
17 (14) of Section 3 of this Act, the aggregate amount may consist
18 of good funds of less than \$50,000 per paragraph, as defined in
19 paragraphs (3) and (5) of subsection (c) of this Section and of
20 up to \$5,000 in good funds, as defined in paragraph (4) of
21 subsection (c) of this Section.

22 (a-5) In addition to the good funds disbursement
23 authorization set forth in subsection (a) of this Section, a
24 title insurance company, title insurance agent, or independent

1 escrowee is authorized to make disbursements in connection with
2 any escrows, settlements, or closings out of a fiduciary trust
3 account or accounts where the funds in the aggregate amount of
4 \$50,000 or greater are received from any single party to the
5 transaction if:

6 (1) the funds are transferred by a cashier's check,
7 teller's check, or certified check, as defined in the
8 Uniform Commercial Code, that is drawn on or issued by a
9 financial institution, as defined in this Act;

10 (2) the title insurance company, title insurance
11 agent, or independent escrowee and the financial
12 institution, as defined in this Act, ~~are known to each~~
13 ~~other and~~ agree to the use of cashier's checks, teller's
14 checks, or certified checks to disburse the loan and
15 related closing costs being funded by the financial
16 institution as good funds under item (3) of subsection (c)
17 of this Section; and

18 (3) the cashier's check, teller's check, or certified
19 check is delivered to the title insurance company, title
20 insurance agent, or independent escrowee in sufficient
21 time for the check to be deposited into the title insurance
22 company's, title insurance agent's, or independent
23 escrowee's fiduciary trust account prior to disbursement
24 from the fiduciary trust account of the title insurance
25 company, title insurance agent, or independent escrowee.

26 ~~The provisions of this subsection (a 5) are inoperative on~~

1 ~~and after January 1, 2015.~~

2 (b) A title insurance company or title insurance agent
3 shall not make disbursements in connection with any escrows,
4 settlements, or closings out of a fiduciary trust account or
5 accounts unless the funds in the amount of less than \$50,000
6 received from any single party to the transaction are collected
7 funds or good funds as defined in subsection (c) of this
8 Section.

9 (c) "Good funds" means funds in one of the following forms:

10 (1) lawful money of the United States;

11 (2) wired funds unconditionally held by and credited to
12 the fiduciary trust account of the title insurance company,
13 the title insurance agent, or independent escrowee;

14 (3) cashier's checks, certified checks, bank money
15 orders, official bank checks, or teller's checks drawn on
16 or issued by a financial institution and unconditionally
17 held by the title insurance company, title insurance agent,
18 or independent escrowee;

19 (4) a personal check or checks in an aggregate amount
20 not exceeding \$5,000 per closing, provided that the title
21 insurance company, title insurance agent, or independent
22 escrowee has reasonable grounds to believe that sufficient
23 funds are available for withdrawal in the account upon
24 which the check is drawn at the time of disbursement;

25 (5) a check drawn on the trust account of any lawyer or
26 real estate broker licensed under the laws of any state,

1 provided that the title insurance company, title insurance
2 agent, or independent escrowee has reasonable grounds to
3 believe that sufficient funds are available for withdrawal
4 in the account upon which the check is drawn at the time of
5 disbursement;

6 (6) a check issued by this State, the United States, or
7 a political subdivision of this State or the United States;
8 or

9 (7) a check drawn on the fiduciary trust account of a
10 title insurance company or title insurance agent, provided
11 that the title insurance company, title insurance agent, or
12 independent escrowee has reasonable grounds to believe
13 that sufficient funds are available for withdrawal in the
14 account upon which the check is drawn at the time of
15 disbursement.

16 (d) "Collected funds" means funds deposited, finally
17 settled, and credited to the title insurance company, title
18 insurance agent, or independent escrowee's fiduciary trust
19 account.

20 (e) A purchaser, a seller, or a lender is each considered a
21 single party to the transaction for the purposes of this
22 Section, regardless of the number of people or entities making
23 up the purchaser, seller, or lender.

24 (Source: P.A. 98-387, eff. 8-16-13.)

25 Section 99. Effective date. This Act takes effect upon

1 becoming law.".