

**SUBSTITUTE FOR
SENATE BILL NO. 74**

A bill to amend 1956 PA 218, entitled
"The insurance code of 1956,"
(MCL 500.100 to 500.8302) by adding section 2246.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 SEC. 2246. (1) A LIFE INSURER THAT DELIVERS, ISSUES FOR
2 DELIVERY, OR RENEWS IN THIS STATE A LIFE INSURANCE POLICY SHALL
3 NOT RATE, CANCEL COVERAGE ON, REFUSE TO PROVIDE COVERAGE FOR, OR
4 REFUSE TO ISSUE OR RENEW A POLICY SOLELY BECAUSE AN INSURED OR
5 APPLICANT FOR INSURANCE IS OR HAS BEEN A VICTIM OF DOMESTIC
6 VIOLENCE.

7 (2) THIS SECTION DOES NOT PREVENT ANY OF THE FOLLOWING:

8 (A) AN INSURER FROM REFUSING TO ISSUE A LIFE INSURANCE
9 POLICY INSURING AN INDIVIDUAL WHO HAS BEEN THE VICTIM OF DOMESTIC
10 VIOLENCE IF THE INDIVIDUAL WHO COMMITS THE DOMESTIC VIOLENCE IS

1 THE APPLICANT FOR, PROSPECTIVE OWNER OF, OR BENEFICIARY UNDER THE
2 POLICY AND 1 OR MORE OF THE FOLLOWING APPLY:

3 (i) THE APPLICANT, PROSPECTIVE OWNER, OR BENEFICIARY UNDER
4 THE POLICY IS KNOWN ON THE BASIS OF POLICE OR COURT RECORDS TO
5 HAVE COMMITTED DOMESTIC VIOLENCE.

6 (ii) THE INSURER KNOWS OF AN ARREST OR CONVICTION FOR A
7 DOMESTIC VIOLENCE RELATED OFFENSE BY THE APPLICANT FOR, PROSPEC-
8 TIVE OWNER OF, OR BENEFICIARY UNDER THE POLICY.

9 (iii) THE INSURER HAS REASONABLE GROUNDS TO BELIEVE THAT THE
10 APPLICANT FOR, PROSPECTIVE OWNER OF, OR BENEFICIARY UNDER THE
11 POLICY IS COMMITTING DOMESTIC VIOLENCE.

12 (B) AN INSURER FROM INQUIRING ABOUT, UNDERWRITING, OR CHARG-
13 ING A DIFFERENT PREMIUM ON THE BASIS OF THE INDIVIDUAL'S PHYSICAL
14 OR MENTAL CONDITION, REGARDLESS OF THE CAUSE OF THE CONDITION.

15 (C) AN INSURER FROM REFUSING TO ISSUE A LIFE INSURANCE
16 POLICY IF THE APPLICANT FOR, PROSPECTIVE OWNER OF, OR BENEFICIARY
17 UNDER THE POLICY DOES NOT HAVE AN INSURABLE INTEREST IN THE LIFE
18 OF THE PROSPECTIVE INSURED INDIVIDUAL.

19 (3) AN INSURER SHALL NOT BE HELD CIVILLY LIABLE FOR ANY
20 CAUSE OF ACTION THAT MAY RESULT FROM COMPLIANCE WITH THIS
21 SECTION.

22 (4) THIS SECTION APPLIES TO ALL LIFE INSURANCE POLICIES
23 ISSUED OR RENEWED ON OR AFTER 60 DAYS AFTER THE EFFECTIVE DATE OF
24 THIS SECTION.

25 (5) AS USED IN THIS SECTION, "DOMESTIC VIOLENCE" MEANS
26 INFLECTING BODILY INJURY, CAUSING SERIOUS EMOTIONAL INJURY OR
27 PSYCHOLOGICAL TRAUMA, OR PLACING IN FEAR OF IMMINENT PHYSICAL HARM

1 BY THREAT OR FORCE A PERSON WHO RESIDES OR HAS RESIDED WITH OR WHO
2 HAS A CHILD IN COMMON WITH THE PERSON COMMITTING THE VIOLENCE.

3 [REDACTED]
4 [REDACTED]
5 [REDACTED]
6 [REDACTED]
7 [REDACTED]
8 [REDACTED]
9 [REDACTED]
10 [REDACTED]
11 [REDACTED]
12 [REDACTED]
13 [REDACTED]
14 [REDACTED]