

REPRINT

**SUBSTITUTE FOR
SENATE BILL NO. 434**

(As Passed the Senate May 7, 1997)

A bill to amend 1956 PA 218, entitled
"The insurance code of 1956,"
(MCL 500.100 to 500.8302) by adding section 3406j.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

- 1 SEC. 3406J. (1) AN INSURER THAT DELIVERS, ISSUES FOR DELIV-
2 ERY, OR RENEWS IN THIS STATE AN EXPENSE-INCURRED HOSPITAL, MEDI-
3 CAL, OR SURGICAL POLICY OR CERTIFICATE SHALL NOT RATE, CANCEL
4 COVERAGE ON, REFUSE TO PROVIDE COVERAGE FOR, OR REFUSE TO ISSUE
5 OR RENEW A POLICY OR CERTIFICATE SOLELY BECAUSE AN INSURED OR
6 APPLICANT FOR INSURANCE IS OR HAS BEEN A VICTIM OF DOMESTIC
7 VIOLENCE.
- 8 (2) THIS SECTION DOES NOT PROHIBIT AN INSURER FROM INQUIRING
9 ABOUT, UNDERWRITING, OR CHARGING A DIFFERENT PREMIUM ON THE BASIS
10 OF THE INDIVIDUAL'S PHYSICAL OR MENTAL CONDITION, REGARDLESS OF
11 THE CAUSE OF THE CONDITION.

SB0434, As Passed House, May 21, 1998

Sub. S.B. 434 (S-1) as amended May 19, 1998

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

4 (4) THIS SECTION APPLIES TO POLICIES AND CERTIFICATES ISSUED
5 OR RENEWED ON OR AFTER [JUNE 1, 1998.

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7 (5) AS USED IN THIS SECTION, "DOMESTIC VIOLENCE" MEANS
8 INFLECTING BODILY INJURY, CAUSING SERIOUS EMOTIONAL INJURY OR
9 PSYCHOLOGICAL TRAUMA, OR PLACING IN FEAR OF IMMINENT PHYSICAL
10 HARM BY THREAT OR FORCE A PERSON WHO [IS A SPOUSE OR FORMER SPOUSE
11 OF, HAS OR HAS HAD A DATING RELATIONSHIP WITH, RESIDES OR HAS
RESIDED WITH, OR] HAS A CHILD IN COMMON WITH THE PERSON COMMITTING
THE

12 VIOLENCE.

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