

## CHAPTER 172

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**INSURANCE**


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**SENATE BILL 06-113**

BY SENATOR(S) Shaffer, Gordon, Fitz-Gerald, Groff, Grossman, Hagedorn, Hanna, Lamborn, Takis, Tochtrop, Tupa, and Windels;  
 also REPRESENTATIVE(S) Massey, Borodkin, Crane, Penry, Berens, Carroll M., Cloer, Frangas, Hodge, Jahn, Kerr J., Knoedler, Madden, Marshall, McFadyen, Stengel, Sullivan, and Todd.

**AN ACT**

**CONCERNING A PROHIBITION ON DISCRIMINATION BY A LIFE INSURANCE COMPANY BASED ON AN INSURED'S FOREIGN TRAVEL.**

*Be it enacted by the General Assembly of the State of Colorado:*

**SECTION 1.** 10-7-103, Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW SUBSECTION to read:

**10-7-103. Life insurance policies - prohibition.** (2) A LIFE INSURANCE COMPANY DOING BUSINESS IN COLORADO MAY NOT REFUSE TO INSURE, REFUSE TO CONTINUE TO INSURE, LIMIT THE AMOUNT OR EXTENT OR KIND OF COVERAGE AVAILABLE TO AN INDIVIDUAL, OR CHARGE AN INDIVIDUAL A DIFFERENT RATE FOR THE SAME COVERAGE SOLELY FOR REASONS ASSOCIATED WITH AN APPLICANT'S OR INSURED'S PAST OR FUTURE LAWFUL FOREIGN TRAVEL. NOTHING IN THIS SUBSECTION (2) SHALL PROHIBIT A LIFE INSURER FROM EXCLUDING OR LIMITING COVERAGE OF SPECIFIC LAWFUL TRAVEL, OR CHARGING A DIFFERENTIAL RATE FOR SUCH COVERAGE, WHEN BONA FIDE DIFFERENCES IN RISK OR EXPOSURE HAVE BEEN SUBSTANTIATED BY THE USE OF RELEVANT DATA FROM AT LEAST ONE INDEPENDENT RELIABLE SOURCE, INCLUDING STATISTICAL OR OTHER MATHEMATICAL ANALYSIS OF AVAILABLE DATA THAT ESTABLISHES A MATERIAL VARIATION IN ACTUAL OR REASONABLY ANTICIPATED EXPERIENCE THAT CORRELATES TO THE RISK OF SPECIFIC LAWFUL TRAVEL. TRAVEL ADVISORIES ISSUED BY THE UNITED STATES DEPARTMENT OF STATE SHALL NOT QUALIFY AS THE SOLE SOURCE OF DATA FOR PURPOSES OF THIS SUBSECTION (2). EACH INSURER SHALL MAINTAIN THE DATA AND DOCUMENTS THAT SUPPORT ANY SUCH DIFFERENCES AND SHALL MAKE THE DATA AND DOCUMENTS AVAILABLE UPON REQUEST BY THE COMMISSIONER.

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*Capital letters indicate new material added to existing statutes; dashes through words indicate deletions from existing statutes and such material not part of act.*

**SECTION 2. Effective date - applicability.** This act shall take effect July 1, 2006, and shall apply to life insurance policies offered or entered into on or after said date.

**SECTION 3. Safety clause.** The general assembly hereby finds, determines, and declares that this act is necessary for the immediate preservation of the public peace, health, and safety.

Approved: April 28, 2006