

BY: Finance Committee

AMENDMENTS TO HOUSE BILL NO. 39

(Third Reading File Bill - Second Printing)

AMENDMENT NO. 1

On page 2, strike in their entirety lines 26 and 27, inclusive, and substitute:

“(3) ‘‘COHABITANT’’ MEANS A PERSON WHO HAS HAD A SEXUAL RELATIONSHIP WITH AN INDIVIDUAL AND RESIDED WITH THE INDIVIDUAL FOR A PERIOD OF AT LEAST 90 DAYS.

(4) ‘‘VICTIM OF DOMESTIC VIOLENCE’’ MEANS AN INDIVIDUAL WHO:

(I) HAS RECEIVED DELIBERATE, SEVERE, AND DEMONSTRABLE PHYSICAL INJURY FROM A CURRENT OR FORMER SPOUSE, OR A CURRENT OR FORMER COHABITANT; OR

(II) IS IN FEAR OF IMMINENT DELIBERATE, SEVERE, AND DEMONSTRABLE PHYSICAL INJURY FROM A CURRENT OR FORMER SPOUSE, OR A CURRENT OR FORMER COHABITANT.’’;

in line 28, after ‘‘(B)’’ insert ‘‘EXCEPT AS OTHERWISE PROVIDED IN THIS ARTICLE.’’; in the same line, strike ‘‘OR MAY BE’’.

AMENDMENT NO. 2

On page 3, in line 1, after ‘‘(4)’’ insert ‘‘IN LIFE INSURANCE POLICIES AND HEALTH BENEFITS PLANS.’’; strike in their entirety lines 4 through 8, inclusive, and substitute:

‘‘(C) IF AN INSURER ACTS IN GOOD FAITH, THE INSURER IS NOT SUBJECT TO TORT LIABILITY FOR A CAUSE OF ACTION ARISING FROM THE INSURER’S LAWFUL ISSUANCE OF AND LAWFUL COMPLIANCE WITH A LIFE INSURANCE POLICY FOR AN

(Over)

INSURED WHO SUBSEQUENTLY SUFFERS DOMESTIC VIOLENCE OR ABUSE.

(D) THIS SECTION DOES NOT REQUIRE AN INSURER:

(1) TO MAKE A PAYMENT TO AN INDIVIDUAL WHO WILLFULLY CAUSED AN INJURY THAT GAVE RISE TO A LOSS UNDER A LIFE INSURANCE POLICY; OR

(2) TO ISSUE, WITHOUT THE CONSENT OF THE PROPOSED INSURED, LIFE INSURANCE OR DISABILITY INCOME INSURANCE TO AN APPLICANT KNOWN TO HAVE ABUSED THE PROPOSED INSURED.”;

in line 9, strike “(D)” and substitute “(E)”; and strike in their entirety lines 13 through 15, inclusive.