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By: **Delegates Mandel, Rosenberg, Bobo, Boutin, Bromwell, Cane, Cardin, V. Clagett, Donoghue, Dumais, Elliott, Frank, Frush, Goldwater, Gutierrez, Hammen, Heller, Hixson, Holmes, Hubbard, Kach, Kaiser, Lee, Madaleno, Montgomery, Morhaim, Murray, Nathan-Pulliam, Niemann, Oaks, Parker, Pendergrass, Petzold, Rudolph, Stern, V. Turner, and Walkup ~~Walkup, Benson, Boteler, Costa, Hurson, Kullen, and Weldon~~**

Introduced and read first time: February 4, 2005  
Assigned to: Health and Government Operations

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Committee Report: Favorable with amendments  
House action: Adopted  
Read second time: March 8, 2005

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CHAPTER \_\_\_\_\_

1 AN ACT concerning

2 **Life Insurance Freedom to Travel Act**

3 FOR the purpose of prohibiting a life insurance company from refusing to insure,  
4 refusing to continue to insure, limiting the amount or extent or kind of coverage  
5 available to an individual, or charging an individual a different rate for the  
6 same coverage solely for reasons associated with an applicant's or insured's past  
7 lawful travel experiences.

8 BY repealing and reenacting, with amendments,  
9 Article - Insurance  
10 Section 27-208(a)  
11 Annotated Code of Maryland  
12 (2002 Replacement Volume and 2004 Supplement)

13 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF  
14 MARYLAND, That the Laws of Maryland read as follows:

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**Article - Insurance**

2 27-208.

3 (a) (1) A person may not make or allow unfair discrimination between  
4 individuals of the same class and equal expectation of life in:

5 (i) the rates charged for a contract of life insurance or an annuity  
6 contract;

7 (ii) the dividends or other benefits payable on a contract of life  
8 insurance or an annuity contract; or

9 (iii) any of the other terms or conditions of a contract of life  
10 insurance or an annuity contract.

11 (2) (i) Notwithstanding any other provision of this section, an insurer  
12 may not make or allow a differential in ratings, premium payments, or dividends for  
13 contracts of life insurance or annuity contracts for a reason based on the blindness or  
14 other physical handicap or disability of an applicant or policyholder.

15 (ii) Actuarial justification for the differential may be considered for  
16 a physical handicap or disability other than blindness or hearing impairment.

17 (3) Unless there is actuarial justification, an insurer may not refuse to  
18 insure or make or allow a differential in ratings, premium payments, or dividends in  
19 connection with life insurance and annuity contracts solely because the applicant or  
20 policyholder has the sickle-cell trait, thalassemia-minor trait, hemoglobin C trait,  
21 Tay-Sachs trait, or a genetic trait that is harmless in itself.

22 (4) AN INSURER MAY NOT REFUSE TO INSURE, REFUSE TO CONTINUE TO  
23 INSURE, LIMIT THE AMOUNT OR EXTENT OR KIND OF COVERAGE AVAILABLE TO AN  
24 INDIVIDUAL, OR CHARGE AN INDIVIDUAL A DIFFERENT RATE FOR THE SAME  
25 COVERAGE SOLELY FOR REASONS ASSOCIATED WITH AN APPLICANT'S OR INSURED'S  
26 PAST LAWFUL TRAVEL EXPERIENCES.

27 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
28 October 1, 2005.