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By: **Senators Gladden, Frosh, Grosfeld, Hafer, Hogan, Hollinger, Jacobs,  
Kelley, Klausmeier, Kramer, Miller, Pipkin, ~~and Teitelbaum~~ Teitelbaum,  
Aste, Della, Exum, and Middleton**

Introduced and read first time: February 4, 2005

Assigned to: Finance

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Committee Report: Favorable with amendments

Senate action: Adopted

Read second time: March 17, 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:

15 **Article - Insurance**

16 27-208.

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

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

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

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

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

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

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

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

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