

SENATE BILL 205

Introduced by Williams, B., et al.

1/21	Introduced
1/21	Referred to Judiciary
1/23	Rereferred to Business & Industyr
2/01	Hearing
2/07	Committee Report--Bill Passed
2/09	2nd Reading Do Pass Motion Failed
2/09	2nd Reading Indefinitely Postponed

1 *Senate* BILL NO. *205*
 2 INTRODUCED BY *William Mayanfield O'Connell*
 3 *Carlisle Phillips*
 4 A BILL FOR AN ACT, ENTITLED: "AN ACT REPEALING THE LAWS
 5 RELATING TO DISCRIMINATION IN INSURANCE AND RETIREMENT
 6 PLANS; LIMITING THE PROHIBITION AGAINST DISCRIMINATION ON
 7 THE BASIS OF SEX OR MARITAL STATUS TO THE ISSUANCE OR
 8 AVAILABILITY OF INSURANCE; REPEALING SECTION 49-2-309, MCA;
 9 AND PROVIDING AN EFFECTIVE DATE AND AN IMMEDIATE
 10 EFFECTIVE DATE."

11
 12 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

13 NEW SECTION. Section 1. Discrimination on the basis
 14 of sex or marital status. An insurer may not refuse to
 15 insure, refuse to continue to insure, or limit the amount of
 16 coverage available to an individual because of the sex or
 17 marital status of the individual. However, nothing in this
 18 section prohibits an insurer from:

- 19 (1) taking marital status into account for the purpose
 20 of defining a person eligible for dependent benefits;
 21 (2) excluding coverage for pregnancy, except for
 22 complications of pregnancy; or
 23 (3) making distinctions on the basis of sex or marital
 24 status when bona fide statistical differences in risk or
 25 exposure have been substantiated.

1 NEW SECTION. Section 2. Repealer. Section 49-2-309,
 2 MCA, is repealed.

3 NEW SECTION. Section 3. Codification instruction.
 4 [Section 1] is intended to be codified as an integral part
 5 of Title 33, chapter 18, part 2, and the provisions of Title
 6 33, chapter 18, part 2, apply to [section 1].

7 NEW SECTION. Section 4. Effective date. [This act] is
 8 effective on passage and approval.

9 NEW SECTION. Section 5. Applicability. [This act]
 10 applies to insurance policies delivered or issued for
 11 delivery in this state on or after [the effective date of
 12 this act], but does not apply to a policy provision which,
 13 pursuant to a policy issued before [the effective date of
 14 this act], is applicable after that date.

-End-

RE-REFERRED AND
APPROVED BY COMM. ON
BUSINESS & INDUSTRY

1 *State* BILL NO. *205*
2 INTRODUCED BY *William Meyer* *William O'Connell* *Gentry*
3 *Ampley Phillips* *Carlisle* *Leopold* *Hart*
4 *Simpkins* *Powers* *Lawrence* *Robert*
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