

CHAPTER 277—S.F.No. 1798

An act relating to statutes; limiting the scope of an instruction to the revisor; amending Laws 1995, chapter 189, section 8.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

Section 1. Laws 1995, chapter 189, section 8, is amended to read:

Sec. 8. INSTRUCTION TO REVISOR.

The revisor of statutes shall change the words "probate court" to "district court," or delete the words "probate court" in Minnesota Statutes 1996 and subsequent editions of the statutes unless the context indicates that, for historical or other reasons, the words should be retained.

Presented to the governor February 20, 1996

Signed by the governor February 21, 1996, 10:13 a.m.

CHAPTER 278—S.F.No. 1815

An act relating to insurance; regulating the underwriting of life and health coverages for victims of domestic abuse; amending Minnesota Statutes 1994, section 72A.20, subdivision 8.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

Section 1. Minnesota Statutes 1994, section 72A.20, subdivision 8, is amended to read:

Subd. 8. **DISCRIMINATION.** (a) Making or permitting any unfair discrimination between individuals of the same class and equal expectation of life in the rates charged for any contract of life insurance or of annuity or in the dividends or other benefits payable thereon, or in any other of the terms and conditions of such contract or in making or permitting the rejection of an individual's application for life insurance coverage, as well as the determination of the rate class for such individual, on the basis of a disability, shall constitute an unfair method of competition and an unfair and deceptive act or practice, unless the claims experience and actuarial projections and other data establish significant and substantial differences in class rates because of the disability.

(b) Refusing to insure or refusing to continue to insure the life of a member of a reserve component of the armed forces of the United States, or the national guard due to that person's status as a member, or duty assignment while a member of any of these military organizations, constitutes an unfair method of competition and an unfair and deceptive act or practice unless the individual has received an order for active duty.

(c) Refusing to reinstate coverage for the insured or any covered dependents under an individual or group life or health insurance policy or contract of a member of a reserve component of the armed forces of the United States or the national guard whose coverage

New language is indicated by underline, deletions by ~~strikeout~~.

or dependent coverage was terminated, canceled, or nonrenewed while that person was on active duty constitutes an unfair method of competition and an unfair and deceptive act or practice. For purposes of this section paragraphs (a) to (c), "health insurance policy or contract" means any policy, contract, or certificate providing benefits regulated under chapter 62A, 62C, 62D, or 64B.

For purposes of reinstatement of an individual policy, the person shall apply for reinstatement within 90 days after removal from active duty.

The reinstated coverage must not contain any new preexisting condition or other exclusion or limitation, except a condition determined by the Veterans Administration to be a disability incurred or aggravated in the line of duty. The remainder of a preexisting condition limitation that was not satisfied before the coverage was terminated may be applied once the person returns and coverage is reinstated. Reinstatement is effective upon the payment of any required premiums.

(d) Refusing to offer, sell, or renew coverage; limiting coverage; or charging a rate different from that normally charged for the same coverage under a life insurance policy or health plan because the applicant who is also the proposed insured has been or is a victim of domestic abuse is an unfair method of competition and an unfair and deceptive act or practice.

Nothing in this paragraph prevents an insurer from underwriting a risk on the basis of the physical or mental history of an individual if the insurer does not take into consideration whether the individual's condition was caused by an act of domestic abuse.

For purposes of this paragraph, "domestic abuse" has the meaning given in section 518B.01, subdivision 2; and "health plan" has the meaning given in section 62Q.01, subdivision 3, and includes the coverages referred to in section 62A.011, subdivision 3, clauses (1), (7), (9), and (10).

Sec. 2. EFFECTIVE DATE; APPLICABILITY.

Section 1 is effective August 1, 1996, and applies to applications for coverage made on or after that date and to health plans issued or renewed on or after that date to provide coverage to a Minnesota resident.

Presented to the governor February 20, 1996

Signed by the governor February 21, 1996, 10:14 a.m.

CHAPTER 279—S.F.No. 1909

An act relating to highways; designating a portion of marked trunk highway No. 52 in Fillmore county as the "Amish Buggy Byway"; amending Minnesota Statutes 1994, section 161.14, by adding a subdivision.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

Section 1. Minnesota Statutes 1994, section 161.14, is amended by adding a subdivision to read:

New language is indicated by underline, deletions by strikeout.