

SENATE NO. 622

AN ACT RELATIVE TO EQUITABLE COVERAGE FOR ANNUITY POLICIES

*Be it enacted by the Senate and House of Representatives in General Court assembled,
And by the authority of the same, as follows:*

1 SECTION 1. Section 9 of chapter 175 of the General Laws, as appearing in the 2004 Official
2 Edition, is hereby amended by inserting after the word “commissioner”, and in line 112, the
3 following:—; provided, however, that for any contract issued on or after January 1, 2007, that
4 any mortality table shall only be applied to an individual or group annuity or pure endowment
5 contract on a gender-neutral or gender-blended basis in accordance with regulations
6 promulgated by the commissioner.

7 SECTION 2. Said section 9 of said chapter 175, as so appearing, is hereby further amended by
8 inserting after the word “contracts”, in line 118:—; provided, however, that for any contract
9 issued on or after January 1, 2007, that any mortality table shall only be applied to an individual
10 or group annuity or pure endowment contract on a gender-neutral or gender-blended basis in
11 accordance with regulations promulgated by the commissioner.

12 SECTION 3. Said section 9 of said chapter 175, as so appearing, is hereby further amended by
13 inserting after the word “specified”, in line 163 the following words:—; provided, however, that
14 for any contract issued on or after January 1, 2007, that any mortality table shall only be applied

15 to an individual or group annuity or pure endowment contract on a gender-neutral or gender-
16 blended basis in accordance with regulations promulgated by the commissioner.

17 SECTION 4. Said chapter 175 of the General Laws, is hereby further amended by inserting after
18 section 120E the following section:—

19 Section 120F. No company, and no officer or agent thereof, shall make or permit any
20 distinction, classification, discrimination, or otherwise recognize any difference in life
21 expectancy, on the basis of race, color, religion, sex, marital status, or national origin, in the
22 amount or payment of premiums or rate charges, or in the benefits payable, or in any of the
23 other terms or conditions of any group or individual annuity or pure endowment contract or
24 certificate covering 1 or more residents of the commonwealth which is issued or delivered
25 within or without the commonwealth on or after January 1, 2007. Any violation of this section
26 shall constitute an unfair method of competition or an unfair or deceptive act or practice in
27 violation of chapter 176D.

28 SECTION 5. Said section 132B of said chapter 175, as appearing in the 2004 Official Edition, is
29 hereby amended by striking out, in line 25, the word “sex,”.