



## **H.B. 233**

125th General Assembly  
(As Introduced)

**Reps. Harwood, Yates, Fessler, Ujvagi, Otterman, Hoops, Reidelbach, Redfern, Seitz, McGregor, T. Patton, Willamowski, Hartnett, Perry, Williams, Domenick, Kearns, Bocchieri, Schaffer, Allen, S. Patton, Carano, Oelslager, Distel, Cirelli, Strahorn, Key, Woodard, Barrett**

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### **BILL SUMMARY**

- Removes the terms "colored persons," "Negroes," and "person of color" from statutory provisions relating to capital improvement contracts with minority business enterprises, certain hiring hall contracts, and life insurance contracts.
- Broadens the application of existing prohibitions against various forms of discrimination in the sale and cost of life insurance to include all races.

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### **CONTENT AND OPERATION**

#### **Contracts for capital improvement projects**

##### **Current law**

Current law provides in part that, in awarding contracts for capital improvement projects, the Department of Administrative Services must ensure that equal consideration is given to contractors, subcontractors, or joint venturers who qualify as a minority business enterprise. A "minority business enterprise" is defined as a business enterprise that is owned or controlled by one or more socially or economically disadvantaged persons who are residents of this state. "Socially or economically disadvantaged persons" means persons, regardless of marital status, who are members of groups whose disadvantages may arise from discrimination on the basis of race, religion, sex, disability, national origin, ancestry, or other similar cause. Such persons include, but are not limited to, Negroes, Puerto Ricans, Spanish-speaking Americans, American Indians, Eskimos, and Aleuts. (R.C. 153.59.)

### **Changes proposed by the bill**

The bill removes the reference to these "example" groups of disadvantaged persons from these capital improvement project provisions, and also removes a reference to "Negroes" and replaces it with "African Americans" in non-discrimination job referral statutory provisions pertaining to public work project hiring hall contracts or agreements (R.C. 153.59(C) and 153.591).

### **Life insurance**

#### **In general**

Current law prohibits a life insurance company organized or doing business in Ohio from doing any of the following (R.C. 3911.16):

(1) Making any distinction or discrimination between white persons and colored persons, wholly or partially of African descent, as to premiums or rates charged for policies upon the lives of those persons;

(2) Demanding or requiring greater premiums from colored persons than are at that time required by the company from white persons of the same age, sex, general condition of health, and hope of longevity;

(3) Making or requiring any rebate, diminution, or discount upon the sum to be paid on a policy in case of the death of a colored person;

(4) Inserting into a policy any condition, or making any stipulation by which a colored person binds self or heirs, executors, administrators, or assigns, to accept any sum less than the full value or amount of the policy in case of a claim accruing under the policy by reason of the death of the insured, other than conditions or stipulations that are imposed upon white persons in similar cases.

The bill removes from the provisions described in items (1), (3), and (4) above the references to "white persons" and "colored persons," replaces the references with "on the basis of race," and makes other technical changes in those provisions. It also eliminates item (2) above. (R.C. 3911.16.)

#### **Applications**

Current law provides that any life insurance company that refuses the application of a colored person for insurance upon that person's life must furnish the person with the certificate of some regular examining physician of the company, who has examined the person, stating that the application has been refused, not because the person is a person of color, but solely upon grounds of general health and hope of longevity as would be applicable to white persons of

the same age and sex. The bill removes the reference to "colored persons," "white persons," and "person of color" in this provision and again substitutes "on the basis of race." It, thus, provides that a life insurance company must furnish an applicant with the certificate of some regular examining physician of the company who has examined the applicant, stating that the application has been refused, not on the basis of race, but solely on the basis of the applicant's general health and hope of longevity as applicable to all persons of the same age and sex. (R.C. 3911.16 and 3911.17.)

**Other discrimination provisions**

The bill also removes the references to "colored persons" and "white persons" from the law prohibiting a life insurance company from discriminating by (1) demanding or receiving from a colored person a different or greater premium than from a white person, or (2) by allowing a discount or rebate upon a premium paid or to be paid by a white person of the same age, sex, general condition of health, and hope of longevity of any colored person, or (3) by requiring a rebate, diminution, or discount from the amount to be paid under a policy in the case of an insured colored person--and replaces those references with "on the basis of race" (R.C. 3911.17).

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**HISTORY**

ACTION	DATE	JOURNAL ENTRY
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