



Ohio Legislative Service Commission

Bill Analysis

Nick Thomas

S.B. 34

129th General Assembly
(As Introduced)

Sen. Tavares

BILL SUMMARY

- Makes considering an individual's credit score, credit report, or credit history with regard to a policy of insurance an unfair or deceptive practice in the business of insurance.
- Defines "credit score," "credit report," and "credit history" as any written, oral, or other communication of any information bearing on a consumer's creditworthiness, credit standing, or credit capacity.

CONTENT AND OPERATION

The bill makes considering an individual's credit information with regard to a policy of insurance an unfair or deceptive practice in the business of insurance. Insurers would be prohibited from considering any of the following in relation to an individual:

- Credit score;
- Credit report;
- Credit history.

The bill prohibits an insurer from using an individual's credit information in the consideration of any of the following with regard to a policy or contract of insurance:

- A premium;
- Policy fee;
- Rates charged;

- Coverage provided;
- Benefits payable;
- The refusal to issue or to renew;
- Cancellation;
- Other terms and conditions.

The bill defines "credit score," "credit report," and "credit history" as any written, oral, or other communication of any information bearing on a consumer's creditworthiness, credit standing, or credit capacity.¹

Background – unfair or deceptive practices

Any person who feels that they have been subject to an unfair or deceptive practice by an insurer may apply to the Superintendent of Insurance for a hearing on the matter.² If, subsequent to the hearing, the Superintendent determines that an insurer has engaged in an unfair or deceptive practice, then the Superintendent is required to issue a cease and desist order. Additionally, the Superintendent may suspend the violator's license, require the termination of the person responsible for the violation, require that amounts paid to the violator, as well as applicable interest, be returned, or issue a fine.³

HISTORY

ACTION	DATE
Introduced	02-01-11

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¹ R.C. 3901.21(M)(2).

² R.C. 3901.22(A).

³ R.C. 3901.20 and 3901.22(D).