

By: Senator(s) Dawkins, Jackson (11th)

To: Insurance

SENATE BILL NO. 2901

1 AN ACT TO PROHIBIT INSURERS FROM USING INFORMATION REGARDING
2 A CONSUMER'S CREDITWORTHINESS, CREDIT STANDING OR CREDIT CAPACITY
3 FOR THE PURPOSE OF DETERMINING RATES FOR INSURANCE OR ELIGIBILITY
4 FOR COVERAGE; AND FOR RELATED PURPOSES.

5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

6 **SECTION 1.** (1) An insurer may not require a particular
7 payment plan for an insured for coverage under a private passenger
8 or homeowner's insurance policy based on the credit history of the
9 insured.

10 (2) (a) For purposes of this subsection, "credit history"
11 means any written, oral or other communication of any information
12 by a consumer reporting agency bearing on a consumer's
13 creditworthiness, credit standing or credit capacity that is used
14 or expected to be used, or collected in whole or in part, for the
15 purpose of determining personal lines insurance premiums or
16 eligibility for coverage.

17 (b) With respect to private passenger, residential
18 property and other personal lines of insurance, an insurer may
19 not:

20 (i) Refuse to underwrite, cancel, refuse to renew
21 a risk, or increase the renewal premium based, in whole or in
22 part, on the credit history of an applicant or insured; or

23 (ii) Rate a risk based, in whole or in part, on
24 the credit history of an applicant or insured in any manner,
25 including:

- 26 1. The provision or removal of a discount;
- 27 2. Assigning the insured or applicant to a
- 28 rating tier; or

29 3. Placing an insured or applicant with an
30 affiliated company; or

31 (iii) Require a particular payment plan based, in
32 whole or in part, on the credit history of the insured or
33 applicant; or

34 (iv) Use, in whole or in part, insurance scores or
35 consumer reports as a basis to make a written or oral solicitation
36 of insurance that is not initiated by the consumer.

37 **SECTION 2.** This act shall take effect and be in force from
38 and after July 1, 2007.