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By: Senators Kagan and Benson

Introduced and read first time: February 5, 2018

Assigned to: Finance

A BILL ENTITLED

4	A TAT		•
1	AN	\mathbf{ACT}	concerning
_	,	1101	COLLECTION

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Motor Vehicle Insurance – Discrimination in Underwriting and Rating – Use of Marital Status or Gender

- FOR the purpose of repealing a certain provision of law prohibiting an insurer, with respect to private passenger motor vehicle insurance, from increasing a certain premium for a certain spouse based on a certain change in marital status; prohibiting an insurer, with respect to private passenger motor vehicle insurance, from refusing to underwrite, canceling, refusing to renew, rating a risk, or increasing a renewal premium based, in whole or in part, on the marital status or the gender of the insured or applicant; and generally relating to private passenger motor vehicle insurance.
- 11 BY repealing and reenacting, with amendments,
- 12 Article Insurance
- 13 Section 27–501(e–2)
- 14 Annotated Code of Maryland
- 15 (2017 Replacement Volume)
- 16 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
- 17 That the Laws of Maryland read as follows:

18 Article – Insurance

19 27–501.

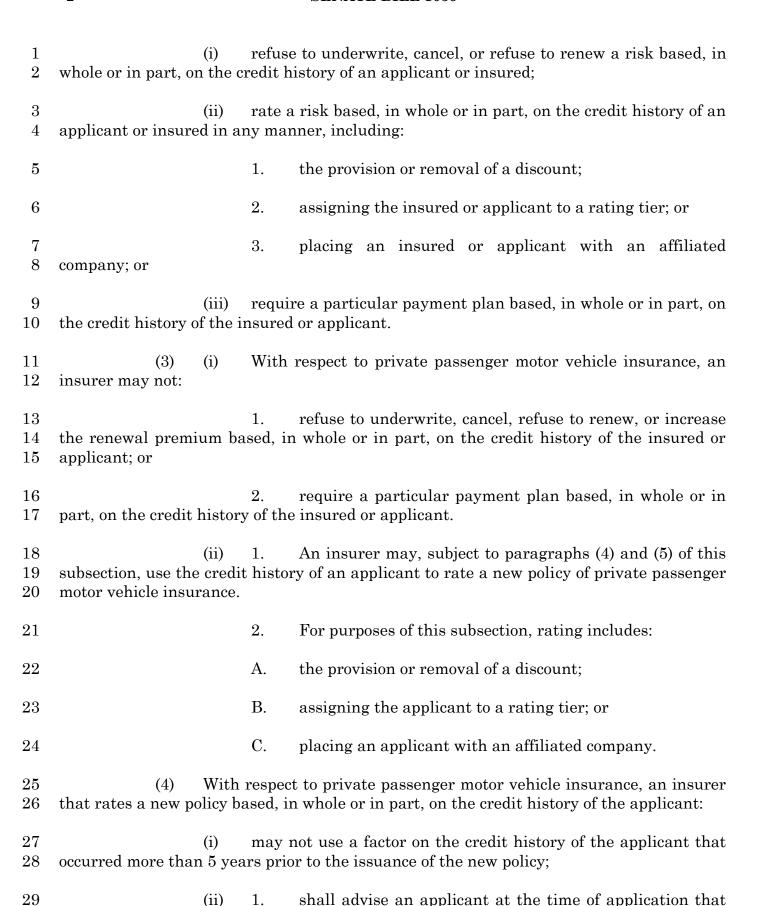
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- (e-2) (1) In this subsection, "credit history" means any written, oral, or other communication of any information by a consumer reporting agency bearing on a consumer's creditworthiness, credit standing, or credit capacity that is used or expected to be used, or collected in whole or in part, for the purpose of determining personal lines insurance premiums or eligibility for coverage.
 - (2) With respect to homeowner's insurance, an insurer may not:

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credit history is used; and



1 2 3	quotation that separately applicant's credit history;	shall, on request of the applicant, provide a premium identifies the portion of the premium attributable to the	
4	(iii) ma	ay not use the following factors in rating the policy:	
5 6	1. the applicant's credit history	the absence of credit history or the inability to determine; or	
7 8	history;	the number of credit inquiries about an applicant's credit	
9 10 11	(iv) 1. shall review the credit history of an insured who wa adversely impacted by the use of the insured's credit history at the initial rating of th policy:		
12	A.	every 2 years; or	
13	В.	on request of the insured; and	
14 15 16	2. history was reviewed under to credit history; or	shall adjust the premium of an insured whose credit this subparagraph to reflect any improvement in the insured's	
17 18	(v) shall disclose to the applicant at the time of the issuance of a policy that the insurer is required to:		
19 20 21	impacted by the use of the in the policy:	review the credit history of an insured who was adversely assured's credit history at the initial rating or underwriting of	
22	A.	every 2 years; or	
23	В.	on request of the insured; and	
24 25	2. reviewed to reflect any impro	adjust the premium of an insured whose credit history was evement in the insured's credit history.	
26 27 28	that rates a new policy based	pect to private passenger motor vehicle insurance, an insurer, in whole or in part, on the credit history of the applicant may, de a discount of up to 40% or impose a surcharge of up to 40%.	
29 30	· ·	pect to private passenger motor vehicle insurance, an insurer am for an insured who becomes a surviving spouse based solely	

on the insured's change in marital status] REFUSE TO UNDERWRITE, CANCEL, REFUSE

TO RENEW, RATE A RISK, OR INCREASE THE RENEWAL PREMIUM BASED, IN WHOLE

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- 1 OR IN PART, ON THE MARITAL STATUS OR THE GENDER OF THE INSURED OR
- 2 APPLICANT.
- 3 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
- 4 October 1, 2018.