

**USE OF CREDIT REPORTS/SCORING IN UNDERWRITING**

The date following each state indicates the last time information for the state was reviewed/changed.

| STATE        | REFERENCE  | LINE OF BUSINESS | SUMMARY OF PROVISIONS  |
|--------------|--|------------------|--|
| AL<br>(6/25) | AAC 482-1-127-.01<br>to 482-1-127-.11  | Personal lines   | Make procedures used to obtain credit reports and insurance scores available to commissioner. If use credit scoring, file the scoring model with the commissioner. May not calculate score based on lack of or incomplete credit history. May not use credit score as sole reason to deny coverage or refuse to renew. May not use credit history or insurance score for any arbitrary, capricious, or unfairly discriminatory reason. Cannot request credit history based wholly or partially on applicant's residence, sex, race, color, creed, occupation, income, physical handicap, or disability. Must provide reasons for adverse action based on credit information, insurer must notify applicant how a free copy of the credit report can be obtained.                       |
|              | AL Bulletin 1-10   | Personal lines   | Required questionnaire regarding filed and approved rates.   |
| AK<br>(6/25) | §§ 21.36.460;<br>21.39.035;  | Personal lines   | Restrictions on an insurer authorized to do business in this state that uses credit information to underwrite or rate risks. If use credit information in underwriting or rating, shall disclose that fact, in writing, at the time the application is taken and at the time of renewal. Must consider in combination with other factors. May not consider absence of credit history or medical accounts. Must provide specific reasons for adverse decision based on credit information. May not include income, gender, race, religion, marital status, ZIP code, nationality, etc., as factors. Credit history may not be used to determine personal insurance rates or premiums or to make underwriting decisions unless the insurance scoring models are filed with the director. |
|              | § 21.36.461  | Personal lines   | An insurer that uses a consumer's credit history or insurance score shall provide reasonable exceptions when a consumer has experienced, and whose credit history or insurance score has been affected by, an extraordinary life circumstance such as catastrophic event; serious illness or injury to consumer or immediate family; death of spouse, child or parent; divorce or involuntary interruption of legally-owed alimony or support payments; identity theft; temporary loss of employment (3 months or more, involuntary termination); military deployment overseas; or any other events as determined by the insurer.  |
|              | § 45.48.210<br>Bulletin 2004-11<br>(July 16, 2004)<br>Bulletin 2018-8<br>(May 9, 2018) | Personal lines   | Exemption to security freeze—allows for use of credit report for insurance purposes.<br>Use department's consumer brochures to inform the public about credit scoring.<br>Providing for insurer actions based on credit history and insurance scores at insurance policy renewal, and for insurer consideration of consumer requests for exceptions of credit history or insurance scores.   |

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| AZ<br>(6/25) | § 44-1692                         | All lines                                 | Consumer reporting agency may furnish credit report where the insurer intends to use it for underwriting.   |
|              | §§ 20-2102;<br>20-2109 to 20-2110 | All lines                                 | In the event of an adverse underwriting decision, provide the specific reasons. If based on credit-related information, must decide factors that were primary cause. May not use the following credit-related factors for property or casualty premiums: absence of credit history, credit history based on collection of medical bills, total available credit, etc.; does not prohibit an insurer from using zip code, address, gender, and marital status information for underwriting purposes. Provide specific reason for adverse underwriting.   |
|              | § 20-1652                         | Property and casualty                     | After 30 days from the application by an insured for insurance coverage, no declination of insurance coverage or termination of a binder shall be based on information from a consumer report, including a consumer report provided by, or database maintained by, an insurance support organization or consumer reporting agency related to the premises that is the subject of the application or to the person applying for insurance.   |
|              | § 20-2113.01                      | All lines                                 | A consumer reporting agency shall not sell data that includes information about an insurance score.   |
| AR<br>(6/25) | §§ 23-67-405 to<br>23-67-409      | Personal lines –<br>Property and casualty | May not include income, gender, ethnic group, religion, marital status, address, ZIP code, nationality as factors. May not base rates solely on credit score or consider absence of a credit history. Must recalculate credit score after 3 years. May not consider medical collection accounts. If credit information is used in underwriting or rating, disclose either on the application or at the time the application is taken. Must provide up to four specific reasons that were the primary influences of the adverse decision based on credit information. File scoring models with department. |
|              | Bulletin No.<br>14-2004           | Personal lines –<br>Property and casualty | Form for report on number of policies with increase/decrease in premium due to credit scoring.  |

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| CA<br>(6/25) | Civ. § 1785.11                                | All lines                                 | A consumer credit reporting agency shall furnish a consumer credit report when it intends to use the information in connection with the underwriting of insurance involving the consumer, or for insurance claims settlements.   |
|              | Civ. § 1786.18                                | Life                                      | May not include specified information in an investigative report except when used in underwriting life insurance expected to amount to \$250,000 or more.  |
|              | Bulletin 76-3;<br>Civ. §§ 1785.20;<br>1786.40 | All lines                                 | Users of credit reports who deny insurance or increase the prices charged on the basis of information contained in the reports must disclose the information that was the basis for the adverse decision.  |
|              | Ins. § 791.10                                 | All lines                                 | Must provide specific reason for adverse underwriting.   |
| CO<br>(6/25) | § 5-18-104                                    | All lines                                 | Consumer reporting agency may furnish credit report where the insurer intends to use it for underwriting. Must notify consumers that insurer will be using credit report for determination of eligibility for coverage or to determine premiums.   |
|              | § 5-18-112                                    | All lines                                 | Security freeze provisions—do not apply to any person or entity for use in setting or adjusting a rate, adjusting a claim, or underwriting for insurance purposes.   |
|              | § 10-4-116                                    | Personal lines –<br>Property and casualty | May not include income, gender, ethnic group, religion, marital status, address, ZIP code, nationality, etc., as factors. May not deny, cancel, or fail to renew a policy on the basis of credit information, without consideration of any other applicable underwriting factor that is independent of credit information prohibited pursuant to paragraph (a) of this subsection (1). May not base rates solely on credit information or consider absence of a credit history. Must recalculate credit score after 3 years. May not consider collection amounts with medical industry codes. Must provide specific reasons for adverse decision based on credit information. File scoring models with department. |
|              | § 10-4-616                                    | Personal lines –<br>Property and casualty | Must notify consumers that new or updated credit information will be used in insurance underwriting or rating.   |
|              | § 10-4-110.7                                  | Homeowners                                | An insurer is required to provide notice to an applicant if the insurer uses credit scoring, claims history of the property, or claims history of the applicant in determining whether to insure the applicant's property.   |

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| CT<br>(6/25) | § 38a-686;<br>Bulletin PC-69 | Personal lines   | May not base rates solely on credit score or consider absence of a credit history. May not consider lack of credit history or medical history codes. If credit information is used in underwriting or rating, disclose at the time the application is taken. Must provide reasons for adverse decision based on credit information; provide applicant with notice of how to obtain free copy of credit report; and types of extraordinary life circumstances and the procedures to inform the insurer of an extraordinary life circumstance. File scoring models with department and show proposed correlation between use of credit information and risk of loss. Insurer using credit information would be required, upon written request from applicant or insured, to provide reasonable exceptions for a consumer whose credit information has been directly influenced by an extraordinary life circumstance (within 3 years before date of application), such as: catastrophic illness or injury; death of spouse, child or parent; divorce; identity theft; temporary loss of employment (3 months or more, involuntary termination); total or other loss that makes a home uninhabitable; other circumstances as may be adopted in regulations by the commissioner, or any other events as determined by the insurer. An insurer may require an applicant to provide a written and verifiable documentation of the event. |
|              | § 38a-688b                   | Personal lines   | The declination, cancellation or nonrenewal of a personal risk insurance policy not subject to the provisions of § 38a-358 is prohibited if the declination, cancellation or nonrenewal is based solely on information contained in an insured's or applicant's credit history or credit rating or solely on an applicant's lack of credit history.  |
|              | §38a-985                     | All lines        | Must provide specific reason for adverse underwriting.   |

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| DE<br>(6/25) | 18 Del.C. § 2304          | All lines        | Use of credit scoring—No person may use consumer reports or credit scores in any manner prohibited by Chapter 83 of this title.  |
|              | 18 Del.C. §§ 8301 to 8304 | Personal lines   | May not use an insurance score that is calculated using income, gender, sexual orientation, gender identity, education, race, ethnic group, religion, marital status, address, ZIP code, or nationality as a factor. May not use credit score as sole reason to deny coverage or refuse to renew. May not take an adverse action against a consumer solely because of a lack of a credit account. May not consider an absence of credit information or an inability to calculate an insurance score in underwriting or rating personal insurance.  |
|              | 18 Del.C. §§ 8305; 8307   |                  | Insurer shall provide notice, on written request, to consumers that reasonable exceptions are available and information about how the consumer may inquire further. Reasonable exceptions refer to extraordinary life circumstances such as a catastrophic event, serious illness/injury death of a spouse, child, or parent, divorce, identity theft, temporary loss of employment, military deployment overseas, etc. Insurer shall disclose it may obtain credit information in connection with application on the application or at the time the application is taken.   |
|              | 18 Del.C. § 8308          |                  | If an insurer takes an adverse action based upon credit information, the insurer must provide notification to the consumer explaining the reason for the adverse action. The reasons must be provided in sufficiently clear and specific language so that a person can identify the basis for the insurer's decision to take an adverse action. Such notification shall include a description of up to 4 factors that were the primary influences of the adverse action. The use of generalized terms such as “poor credit history,” “poor credit rating,” or “poor insurance score” does not meet the explanation requirements of this paragraph. |

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| DC<br>(6/25) | § 28-3862                                 | All lines                                | Security freeze provision. Nothing in this section shall prevent the lawful use of a credit report by an insurance company, licensed in the District, for the purpose of setting or adjusting a rate or premium, adjusting a claim, or underwriting for property and casualty insurance purposes.   |
|              | Bulletin 15-001-IB<br>(February 19, 2015) | Property and Casualty                    | If an insurer opts to use credit scores as factors to rate policies and the insurer does not review credit scores at least annually, then the insurer must afford every policyholder, once a year at any renewal, the right to request and to receive a rate determination that considers the most recent credit score. Insurers must also notify every policyholder of these rights. To this end, insurers shall provide such a disclosure in the initial policy document and all subsequent renewal letters.  |
| FL<br>(6/25) | Rule 69O-125.004                          | All lines                                | An insurer shall notify an insurance applicant in writing, or in the same medium as the application, that a credit report will or may be requested as part of the application process. The decision to request a credit report will not be made based upon race, color, creed, marital status, sex, or national origin of the applicant. If the application is denied, the insurer must tell the applicant in the notice of the denial how a copy of the credit report can be obtained so the applicant can identify the items that resulted in the denial.   |
|              | §§ 501.005;<br>501.0051                   | All lines                                | Consumer report security freeze does not apply to any insurance company for use in setting or adjusting a rate, adjusting a claim, or underwriting for insurance purposes.  |
|              | § 626.9741                                | Personal lines - auto<br>and residential | Insurer must inform applicant or insured, in the same medium as the application is taken, if credit report or score is used in underwriting or rating, Must provide a copy of the credit report to applicant or insured if an adverse decision is based on credit information. Notice of the adverse decision must include up to 4 primary reasons for the adverse decision. Notice to the applicant or insured must include language directing the recipient to free financial literacy programs offered by the Department of Financial Services. May not use income, gender, race, religion, marital status, place of residence, ZIP code, nationality, etc., as factors. May not base rates solely on credit score or consider absence of a credit history. Must recalculate credit score within the first 3 years. May not consider medical history codes. Must provide specific reasons for adverse decision based on credit information. File scoring models with department. |

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| GA<br>(6/25) | § 10-1-914                  | All lines                                 | Security freezes on consumer credit reports does not apply to any person or entity for insurance purposes, including use in setting or adjusting a rate, adjusting a claim, or underwriting.   |
|              | §§ 33-24-90 to 33-24-98     | Personal lines -<br>Property and casualty | May not include income, gender, race, ethnic group, religion, marital status, address, ZIP code, nationality, etc., as factors. May not base rates solely on credit score or consider absence of a credit history. Must recalculate credit score no later than 3 years. May not consider medical industry codes. If credit information is used in underwriting or rating, disclose either on the application or at the time the application is taken. Must provide specific reasons for adverse decision based on credit information. File scoring models with department. |
|              | § 33-39-11                  | All lines                                 | Must provide specific reason for adverse underwriting.   |
|              | Regs. 120-2-65-.03          | Private passenger auto                    | An insurer shall not use underwriting criteria or guidelines that result in the fictitious grouping of risks and results in unfair discrimination. An insurer engages in the grouping of risks when a determination is based upon, but not limited to, credit reports or other credit history of an applicant.   |
| HI<br>(6/25) | §§ 431:10C-207; 431:10C-409 | Auto                                      | Insurer shall not base standard or rating plan upon a person's credit bureau rating.   |
|              | § 489P-3                    | All lines                                 | Security freeze by consumer reporting agency does not apply to any person or entity using a credit report in setting or adjusting a rate, adjusting a claim, or underwriting for insurance purposes.   |

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| ID<br>(6/25) | § 41-1843                                 | Property and casualty                     | May not charge a higher rate or cancel coverage based primarily on a credit rating or credit history.   |
|              | ID ADC<br>18.02.01.000 to<br>18.02.01.500 | Personal lines -<br>Property and casualty | If an insurer relies in any part upon a credit factor to establish an initial rate or to impose an increase in premium rate for a customer, then the insurer is to ensure the premium rate using the highest credit factor does not exceed twice the premium using the lowest credit factor, all noncredit factors being unchanged and notwithstanding any optional coverage. Insurers must retain documentation of the factors and criteria considered in underwriting and rating decisions for 5 years. |
|              | Bulletin 91-9                             | All lines                                 | Consumer reporting agency may furnish credit report where the insurer intends to use it for underwriting.   |
|              | Bulletin 2008-9                           | Property and casualty                     | Under no circumstances may an insurer cancel, not renew, decline to issue or increase the premium rate for a property or casualty policy in Idaho based solely or primarily on the insured's credit information.  |
|              | Bulletin 2012-1                           | All lines                                 | Insurers that use credit history in any way to develop rates must demonstrate that no rate charged will be based primarily on credit history. A company may establish compliance with section 41-1843, Idaho Code, in one of two ways.  |



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| IL<br>(6/25) | 215 ILCS 157/1 to 157/99     | Personal lines -<br>Property and casualty | May not include income, gender, address, ethnic group, religion, marital status, nationality, etc., as factors. May not deny, cancel, or nonrenew a policy of personal insurance solely on the basis of credit information. May not base rates solely on credit score or consider absence of a credit history or inability to calculate an insurance score. May not consider medical industry codes. File scoring models with department. If insurer considers an absence of credit information or inability to calculate an insurance score, a certification that the treatment is actuarially justified is required. If credit information is used in underwriting or rating, disclose either on the application or at the time the application is taken. Must provide specific reasons for adverse decision based on credit information.  |
|              | 215 ILCS 157/22              | All lines                                 | Shall review and consider an exception to the risk score based on extraordinary life events, such as a catastrophic illness, divorce, death of a spouse, child, or parent, involuntary loss of employment for 3 months or more, or identity theft.   |
|              | 215 ILCS 157/20              | Personal lines                            | Insurer shall provide notice to the insured if they are denied, cancelled or a policy is not renewed based on credit information. Affected party must be given the opportunity to explain its credit information.  |
|              | 215 ILCS 5/1011              | All lines                                 | Must provide specific reason for adverse underwriting.   |
| IN<br>(6/25) | §§ 27-2-21-0.1 to 27-2-21-23 | Personal lines                            | Shall not use credit score that is calculated using income, gender, address, ZIP code, ethnic group, religion, marital status, or nationality as a factor. Shall not deny or cancel policy solely on the basis of credit information. Shall not base an insured's renewal rate for personal insurance solely on credit information. Shall not consider absence of credit history as basis for denying or setting rates higher. Credit information must be current within 90 days from time policy is first written. May not consider late payments with medical industry code. Update credit scores every 36 months. Must disclose use of credit information in writing and provide with application. Must provide reasons for adverse decision based on credit information and information on how customer can obtain copy of their credit report. File scoring models with department. |

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| IA<br>(6/25) | § 515.103     | Personal lines -<br>Property and casualty | May not include income, gender, address, ethnic group, race, religion, marital status, ZIP code, nationality, etc., as factors. May not deny, cancel, or refuse to renew a policy of personal insurance solely on the basis of credit information. May not base rates solely on credit score or consider absence of a credit history. Must recalculate credit score no later than 3 years. May not consider medical industry codes. File scoring models with department. If credit information is used in underwriting or rating, disclose either on the application or at the time the application is taken. Must provide specific reasons for adverse decision based on credit information.   |
|              | § 515.103(6A) | Personal lines                            | Insurer using credit information would be required, upon written request from applicant or insured, to provide “reasonable exceptions” for a consumer whose credit information has been directly influenced by an extraordinary life circumstance such as: catastrophic event; serious illness or injury to consumer or immediate family; death of spouse, child or parent; divorce or involuntary interruption of legally-owed alimony or support payments; identity theft; temporary loss of employment (3 months or more, involuntary termination); military deployment overseas; or any other events as determined by the insurer. Upon request for an exception, an insurer may in its sole discretion require: written and verifiable documentation of the event; demonstration the event had a direct and meaningful impact on credit information; and a request be made no more than 60 days from application or renewal. |

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| KS<br>(6/25) | §§ 40-5101 to 40-5115;<br>Bulletin 2004-10 | Personal lines -<br>Property and casualty               | May not include income, sex, race, religion, marital status, address, ZIP code, nationality, color, ancestry, disability, etc., as factors. May not refuse to quote, deny, cancel, or refuse to renew any policy of personal insurance solely on the basis of credit information. May not base rates solely on credit score or consider absence of a credit history. May not consider medical industry codes. File scoring models with department. If credit information is used in underwriting or rating, disclose either on the application or at the time the application is taken. Must provide specific reasons for adverse decision based on credit information.   |
|              | § 40-5115                                  | Personal lines –<br>including individual<br>farm owners | Insurer using credit information would be required, upon written request from applicant or insured, to provide “reasonable exceptions” for a consumer whose credit information has been directly influenced by an extraordinary life circumstance such as: catastrophic event; serious illness or injury to consumer or immediate family; death of spouse, child or parent; divorce or involuntary interruption of legally-owed alimony or support payments; identity theft; temporary loss of employment (3 months or more, involuntary termination); military deployment overseas; or any other events as determined by the insurer. Upon request for an exception, an insurer may in its sole discretion require: written and verifiable documentation of the event; demonstration the event had a direct and meaningful impact on credit information; and a request be made no more than 60 days from application or renewal. |
|              | § 40,2112                                  | All lines   | Must provide specific reason for adverse underwriting.  |
|              | K.A.R. 40-1-50                             | Personal lines -<br>Property and casualty               | Documented factors considered in addition to credit score; and the insurer provides the insured with each reason for the change in the premium or coverage. Maintain evidence to support adverse action. Provide an explanation to an insured adversely affected.   |

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| KY<br>(6/25) | § 304.13-075 | All lines             | Insurer using credit information would be required, upon written request from applicant or insured, to provide “reasonable exceptions” for a consumer whose credit information has been directly influenced by an extraordinary life circumstance such as: catastrophic event; serious illness or injury to consumer or immediate family; death of spouse, child or parent; divorce or involuntary interruption of legally-owed alimony or support payments; identity theft; temporary loss of employment (3 months or more, involuntary termination); military deployment overseas; or any other events as determined by the insurer. Upon request for an exception, an insurer may in its sole discretion require: written and verifiable documentation of the event; demonstration the event had a direct and meaningful impact on credit information; and a request be made no more than 60 days from application or renewal. |
|              | § 304.20-040 | Auto                  | May not refuse to issue or renew a policy solely because of credit history, or lack of credit history, or extraordinary life circumstances that directly influence the credit history of the applicant or insured. May not include race, religion, nationality, ethnic group, age, sex, or marital status of the applicant or named insured.  |
|              | § 304.20-042 | Property and casualty | May not refuse to issue or renew a policy solely because of credit history, or lack of credit history, or extraordinary life circumstances that directly influence the credit history of the applicant or insured.  |

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| LA<br>(6/25) | LSA-R.S. 22:1964   | Auto liability                            | Prohibits an insurer from terminating, refusing to renew or refusing to issue insurance solely because the insured has declared bankruptcy.  |
|              | LSA-R.S. 22:1501 to 22:1514                                      | Personal lines -<br>Property and casualty | May not include income, gender, ethnic group, religion, marital status, address, ZIP code, nationality, etc., as factors. May not deny, cancel, or nonrenew a policy of personal insurance solely on the basis of credit information. May not base rates solely on credit score or consider absence of a credit history. May not take an adverse action against a consumer solely because he does not have a credit card account or other credit history. Must recalculate credit score no later than 3 years (36 months). May not consider absence of credit history. May not consider medical industry codes. Insurers shall provide reasonable exemptions from the use of credit information in underwriting or rating risks if the consumer can clearly demonstrate that his credit history is unduly influenced by a medical crisis, death of a spouse, identity theft, the personal guaranty of a business loan, or a catastrophic event as deemed by the commissioner of insurance. If credit information is used in underwriting or rating, disclose either on the application or at the time the application is taken. Must provide specific reasons for adverse decision based on credit information. File scoring models with department. |
|              | LA Ins. Bulletin,<br>Directive No.<br>181(#2)<br>(July 28, 2020) | Personal lines -<br>Property and casualty | Directive addresses issues that have arisen in above statute.  |

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| ME<br>(6/25) | 24-A M.R.S.A.<br>§§ 2917; 3051 | Personal lines   | Insurer must notify policyholder of the reason for the intended nonrenewal, notifications such as “credit report” are not by themselves acceptable explanations of an insurer’s intended nonrenewal of a policy.  |
|              | 24-A M.R.S.A.<br>§ 2169-B      | Personal lines   | May not use an insurance score calculated using income, gender, address, ethnic group, religion, marital status, ZIP code, nationality, etc., as factors. May not deny, cancel, or refuse to renew a policy of personal insurance solely on the basis of credit information. May not base rates solely on credit information. If credit information is used in underwriting or rating, disclose either on the application or at the time the application is taken. Must provide specific reasons for adverse decision based on credit information. File scoring models with department. |
|              | 24-A M.R.S.A.<br>§ 2212        | Personal lines   | Must provide specific reasons for adverse decision based on consumer report.  |
|              | Bulletin 329 (2004)            | Personal lines   | Guidance on issues that have arisen.  |
|              | Bulletin 372 (2010)            | Personal lines   | Notice to lenders upon policy termination is required.  |
|              | Bulletin 412 (2016)            | Personal lines   | Guidance on handling the renewal of insurance policies where consumers have frozen their credit records.  |
|              | Bulletin 448 (2020)            | Personal lines   | Insurers to work with customers whose credit has been affected by the coronavirus pandemic.   |

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| MD<br>(6/25) | COM. LAW<br>§ 14-1202   | All lines   | Consumer reporting agency may furnish credit report where the insurer intends to use it for underwriting.   |
|              | COMAR<br>31.15.11.01 to<br>31.15.11.11                              | Personal lines -<br>Property and casualty<br>and private auto | Insurers that use credit reports or credit scores must provide the commissioner with underlying information so the commissioner can ensure that reports are used in accordance with the law. May not refuse to underwrite, cancel, or renew based wholly or partly on the credit history or absence of credit history. Prohibit obtaining credit report, score, or history based wholly or partly on race, color, creed, sex, religion, national origin, place of residency, blindness, or any other physical handicap or disability. At time of application, notify consumers of use of credit history in setting rates. File rating manual with commissioner. Must notify consumers of actual reason for an adverse action. |
|              | INS. § 27-501   | Personal lines -<br>Property and casualty                     | May not refuse to underwrite, cancel, or renew based wholly or partly on the credit history or absence of credit history. May not use credit history to rate or refuse to underwrite homeowners' coverage. May not use credit history to refuse to underwrite or renew an auto policy or increase its premium. May use credit history to rate a new auto policy. Advise applicant that credit history is being used. May not consider the absence of a credit history as a factor.  |
|              | INS. § 11-317   | Private auto  | Must provide a policyholder statement on rating factors. If use credit scoring, explain how it may cause an increase in premiums.   |
|              | COMM. LAW<br>§ 14-1212.1  |   | Does not apply to the use of a consumer's consumer report by, to the extent not prohibited by other state law, a person only for the purpose of setting or adjusting an insurance rate, adjusting an insurance claim, or underwriting an insurance risk.  |
|              | Bulletin No.<br>14-2002; 16-2002;<br>23A-2002;<br>23B-2002; 11-2008 | Personal lines -<br>Property and casualty                     | Bulletins address questions in implementation, provides interpretations of particular language, and a form for companies to document the use of credit scoring models.  |
|              | Bulletin 2020-20<br><br>Bulletin 2021-26                            | Commercial<br><br>Personal lines –<br>Property and casualty   | Use of credit for underwriting – use of pre-COVID-19 data to minimize impact.<br><br>The use of credit as an underwriting consideration is prohibited in homeowners insurance. An insurer may use credit to rate a new policy of private passenger motor vehicle insurance. The use of credit, other than for rating of a new policy, is prohibited.  |

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| MA<br>(6/25) | M.G.L.A. 93 § 51       | All lines        | Consumer reporting agency may furnish credit report where the insurer intends to use it for underwriting.  |
|              | M.G.L.A. 93 § 62       | Personal lines   | If coverage is denied or price increased because of credit report, must notify consumer within 10 business days that the consumer has the right to obtain a free copy of their credit report within 60 days of notice.   |
|              | M.G.L.A. 93 § 62A      | Personal lines   | Consumer security freeze provision. Includes exception for rating or underwriting use by property and casualty insurers.   |
|              | M.G.L.A. 175E § 4      | Auto             | Rates shall not be based, in whole or in part, on credit information.  |
|              | M.G.L.A. 175 § 4E      | Auto             | Shall not cancel or refuse to renew policy based on credit information.  |
|              | M.G.L.A. 175 § 113B    | Auto             | The commissioner shall not fix or establish any private passenger motor vehicle insurance rates, premium charges, premium adjustments or classifications of risks based, in whole or in part, on any credit information relating to an insured, including, but not limited to, a numerical credit-based insurance score or other credit rating of an insured; and provided, that no insurer, in connection with underwriting private passenger motor vehicle insurance or bonds based on the ownership or operation of a private passenger motor vehicle, shall refuse to issue or renew said insurance or bond based upon credit information. |
|              | M.G.L.A. 175I §§ 7; 10 | All lines        | No consumer report may be requested or used unless the insurance company informs the individual and such individual is entitled to a copy of the investigative consumer report. Provide specific reason for adverse underwriting. Does not apply to property and casualty insurers or property and casualty insurance representatives.   |
|              | 211 CMR 79.04          | Auto             | No credit information contained on a consumer report obtained from a consumer reporting agency shall be used in private passenger motor vehicle insurance.   |



**USE OF CREDIT REPORTS/SCORING IN UNDERWRITING**

| STATE        | REFERENCE   | LINE OF BUSINESS    | SUMMARY OF PROVISIONS  |
|--------------|---|---------------------|--|
| MI<br>(6/25) | M.C.L.A. 500.2151 to 500.2161   | All lines           | Insurers shall not use credit information or score as any part of a decision to deny, cancel, or not renew a policy. May use credit information to determine premiums as long as disclose use of such information to consumers at time of application. May not use income, gender, address, ZIP code, ethnic group, religion, marital status, or nationality in calculating credit score. May not consider absence of credit history negatively. May not consider collection accounts with medical industry codes. Insurers shall notify and provide reasonable exemptions from the use of credit information in underwriting or rating risks if the consumer can clearly demonstrate that his credit history is unduly influenced by a serious illness or injury, death of a spouse, identity theft, temporary loss of employment resulting from involuntary termination, or a catastrophic event. If insurer makes adverse decision based in part on credit information must provide specific reasons to consumer as well as notice of how to obtain copy of report. |
|              | M.C.L.A. 500.2162<br><br>Ins. Inst. of Michigan v. Comm., Fin. & Ins. Serv., 785 N.W.2d 67 (Mich. 2010) | Auto                | An insurer shall not use an individual's credit score to establish or maintain rates or rating classifications for automobile insurance.<br><br>Supreme Court ruled the state's Office of Financial and Insurance Services did not have the authority to ban the use of credit scores in determining insurance premiums.   |
| MN<br>(6/25) | § 72A.20(36)  | Auto and homeowners | Insurer shall not deny or not renew policy based in part or whole on basis of insured credit information.  |
|              |   | All lines           | Insurer must disclose use of credit information to consumer. Must notify consumer of factors used in adverse decision including credit factors. Must provide exceptions for persons whose credit information is unduly influenced by catastrophic injury or illness, temporary loss of employment, death of immediate family; insurer may require reasonable documentation. Shall not consider gender, race, nationality, or religion when calculating credit score. File credit scoring or insurance scoring methodology with commissioner.   |
|              | § 72A.499   | All lines           | Insurers must provide written notice and information if the adverse underwriting decision is either solely or partially based upon a report of credit.   |

**USE OF CREDIT REPORTS/SCORING IN UNDERWRITING**

| STATE        | REFERENCE                             | LINE OF BUSINESS                          | SUMMARY OF PROVISIONS   |
|--------------|---------------------------------------|---|---|
| MS<br>(6/25) | § 75-24-209                           | All lines                                 | A security freeze does not apply to a consumer report provided to a person who intends to use the information in connection with adjusting a claim, rating or underwriting of insurance involving the consumer.   |
|              | 19 MS ADC Pt. 1,<br>R. 31.01 to 31.14 | Personal lines                            | Shall not refuse to renew or cancel personal policy based on credit information. Insurer shall not request applicant's credit information based on residence, sex, race, color, creed, occupation, income, physical handicap, or disability of an applicant. May not consider lack of credit history negatively. Shall not consider collection accounts with medical industry codes. Disclose to consumer that insurer may gather and consider credit information on application or when application is taken. File scoring models with department. Must provide specific reasons if credit score or report adversely affected applicant. |
| MO<br>(6/25) | 20 CSR § 500-9.100                    | Residential                               | Insurer must inform the department of insurance that it is using credit history as an underwriting guideline.   |
|              | § 375.918                             | Personal lines –<br>Property and casualty | May not use credit report or credit score as the sole rating factor; must disclose the fact that will gather credit information. Must inform applicant if credit score or report adversely affected him and provide information on how consumer may obtain copy of report.  |
|              | § 407.1382                            | All lines                                 | Consumer report security freeze does not apply when credit report is requested for use in setting or adjusting a rate, underwriting, adjusting a claim, or servicing a policy for insurance purposes.   |

**USE OF CREDIT REPORTS/SCORING IN UNDERWRITING**

| STATE        | REFERENCE  | LINE OF BUSINESS                          | SUMMARY OF PROVISIONS  |
|--------------|--|---|--|
| MT<br>(6/25) | § 31-3-111   | All lines                                 | Consumer reporting agency may furnish credit report where the insurer intends to use it for underwriting.  |
|              | § 31-3-131   |   | User of consumer report shall advise the consumer against whom an adverse action has been taken either wholly or partly because of the information contained in the consumer report.   |
|              | §§ 33-18-601 to 33-18-612                          | Personal lines                            | May not include income, gender, ethnic group, religion, marital status, address, ZIP code, nationality, etc., as factors. May not base rates solely on credit score or consider absence of a credit history. Must recalculate credit score no later than 3 years. May not consider medical industry codes. If credit information is used in underwriting or rating, disclose that fact at the time the application is taken. File scoring models with department. Must provide exceptions for consumers whose credit report has been directly affected by an extraordinary event such as catastrophic illness or injury, temporary loss of employment, death in the immediate family, etc. Insurer must notify consumer of adverse action based on credit information with specific reasons. |
|              | § 33-19-303  | All lines                                 | Must provide specific reason for adverse underwriting.   |
|              | Advisory Memorandum 9/7/2001; Memorandum 6/11/2005 | Property and casualty; and personal lines | Montana law requires notification to consumers when their credit history adversely affects their ability to obtain or renew insurance. Insurers must provide exception to rates or underwriting rules for a consumer whose credit information has been directly influenced by an extraordinary life circumstance such as: catastrophic illness or injury; death of an immediate family member; identity theft and temporary loss of employment.  |

**USE OF CREDIT REPORTS/SCORING IN UNDERWRITING**

| <b>STATE</b> | <b>REFERENCE</b>      | <b>LINE OF BUSINESS</b> | <b>SUMMARY OF PROVISIONS</b>  |
|--------------|-----------------------|-------------------------|---|
| NE<br>(6/25) | § 44-7516.01          | Auto                    | No private passenger automobile liability policy shall be delivered, issued for delivery, or renewed with respect to any motor vehicle licensed in this state unless accompanied by a disclosure showing the location used to determine the rate charged to the named insured and if any credit-based rating was used to determine the rate charged.  |
|              | §§ 44-7701 to 44-7712 | Personal lines          | Shall not consider income, gender, address, ZIP code, ethnic group, religion, marital status, or nationality of the consumer as a factor when calculating credit score. Shall not deny or cancel policy or set rates solely on basis of credit information. Shall not consider absence of credit information or inability to calculate insurance score. Recalculate scores every 3 years. May not consider collection accounts with medical industry codes. Must disclose use of credit information at time of application. If adverse action is taken, must notify consumer specific reasons for such action including credit factors. Must file scoring models with the department. |

**USE OF CREDIT REPORTS/SCORING IN UNDERWRITING**

| STATE        | REFERENCE                                   | LINE OF BUSINESS | SUMMARY OF PROVISIONS   |
|--------------|---|------------------|---|
| NV<br>(6/25) | §§ 686A.600 to 686A.730                     | Personal lines   | May not include income, gender, sexual orientation, gender identity or expression, address, religion, marital status, ZIP code, ethnic group, or nationality, etc., as factors. May not base rates solely on credit score or consider absence of a credit history. May not use credit inquiries not initiated by the applicant or policyholder as a negative factor in any insurance scoring, rating, or underwriting methodology. Need not recalculate credit score more frequently than a 12-month period. May not consider collection accounts relating to medical treatment. If credit information is used in underwriting or rating, disclose that fact at the time the application is taken. Must provide for reasonable exceptions for consumers who have been impacted by certain life events such as a catastrophic event, serious injury or illness (or to immediate family), temporary loss of job for 3 months or more, death of spouse, child or parent, divorce, ID theft, military deployment, etc. Must provide notification if adverse action is taken based on credit information explaining specific reasons for action. |
|              | NAC 686A.710                                | Personal lines   | At renewal of a policy, the consumer credit report or insurance score used on the policy with the earliest effective date may be used.  |
|              | NAC 679B.715                                | All lines        | Must provide specific reason for adverse underwriting.  |
|              | § 598B.135                                  |                  | Credit history of spouse deemed identical to applicant under certain circumstances.   |
|              | Bulletin 2007-006                           | Personal lines   | Provide notice with specific reasons for adverse decision based on consumer information which is in a form approved by the commissioner.  |
|              | Bulletin 2009-004                           |                  | Reminder of existing statutes related to credit-based insurance scoring.  |
|              | Bulletin 2011-005                           |                  | Insurers are required to provide reasonable exceptions in their rates, rating classifications, tier placement and underwriting rules and guidelines for certain extraordinary life circumstances of an applicant or existing policyholder. An applicant or policyholder whose credit information has been directly influenced by these extraordinary life circumstances may request in writing, that his or her credit information not be considered in the underwriting and rating of the policy.  |
|              | NV ADC R087-20<br>§§ 2 to 4<br>(Uncodified) |                  | Use of consumer credit report or insurance score on or after March 1, 2020, and on or before the date which is 2 years after the termination date of the Declaration of Emergency for COVID-19 issued by the Governor on March 12, 2020.  |

**USE OF CREDIT REPORTS/SCORING IN UNDERWRITING**

| STATE        | REFERENCE   | LINE OF BUSINESS              | SUMMARY OF PROVISIONS  |
|--------------|---|-------------------------------|--|
| NH<br>(6/25) | § 359-B:4   | All lines                     | Consumer reporting agency may furnish credit report where the insurer intends to use it for underwriting.  |
|              | § 359-B:5   | Life                          | May use credit report in underwriting life insurance expected to amount to \$50,000 or more.   |
|              | § 412:15  | Auto and homeowners           | The use of any information from credit reports, credit histories, and credit scoring models for underwriting and rating purposes for homeowners insurance and private passenger automobile insurance shall be based upon objective, documented, and measurable standards and shall be used in a manner which provides for appropriate consumer protections, including adequate and clear consumer notice, procedures to promptly correct and adjust underwriting or rating decisions based on incorrect credit information, and confidentiality protections. |
|              | §§ 417-B:2-a;<br>417-A:3-c  | Property or casualty,<br>auto | No insurer shall cancel, refuse to write, or refuse to renew an insurance policy solely on the basis of credit information without consideration of other non-credit factors.  |
|              | N.H. Code Admin.<br>R. Ins 3302.01;<br>3303.01;<br>§ 417:4(VIII)(e) | All lines                     | Insurers shall not consider age, place or area of residence, race, color, creed, national origin ancestry, marital status, or occupation when calculating credit score. Also, shall not consider income, sexual orientation, gender, religion, blindness, or any physical handicap or disability when calculating credit score.  |
|              | § 417:4(VIII)(g)  | Auto and homeowners           | Insurers shall not charge a higher premium for auto or homeowner insurance solely based on information obtained from a credit report or credit history.  |
|              | N.H. Code Admin.<br>R. Ins 3301.01 to<br>3309.02                    | Auto and homeowners           | If use credit scoring, must establish written standards to prevent discrimination. File scoring models with department. Update credit score at least every 3 years. Shall not use collection accounts with medical industry code. File with the commissioner information on the factors considered and the statistical validation. If credit information is used in underwriting or rating, disclose either on the application or at the time the application is taken. Must provide specific reasons for adverse decision based on credit information.      |

NEW HAMPSHIRE (cont.)

**USE OF CREDIT REPORTS/SCORING IN UNDERWRITING**

| STATE         | REFERENCE                          | LINE OF BUSINESS      | SUMMARY OF PROVISIONS  |
|---------------|------------------------------------|-----------------------|--|
| NH<br>(cont.) | N.H. Code Admin.<br>R. Ins 3305.02 | Auto and homeowners   | Insurer using credit information required, upon written request from applicant or insured, to provide reasonable exceptions for a consumer whose credit information has been directly influenced by an extraordinary life circumstance such as: catastrophic event; serious illness or injury to consumer or immediate family; death of spouse, child or parent; divorce or involuntary interruption of legally-owed alimony or support payments; identity theft; temporary loss of employment (3 months or more, involuntary termination); military deployment overseas; or any other events as determined by the insurer. Upon request for an exception, an insurer may in its sole discretion require: written and verifiable documentation of the event; demonstration the event had a direct and meaningful impact on credit information; and a request be made no more than 60 days from application or renewal. |
| NJ<br>(6/25)  | § 56:11-31                         | All lines             | Consumer reporting agency may furnish credit report where the insurer intends to use it for underwriting.  |
|               | §§ 17:23A-1 to 17:23A-22           |                       | Must inform applicants of practice if personal information is collected from a source other than the applicant or public record. Must inform individual of intention to request investigative consumer report. Must provide specific reasons for adverse underwriting decision.  |
|               | N.J.A.C. 11:3-19A.2                | Auto                  | "Insurance score" means a number or rating, including that which is derived from an algorithm, computer application, model or other process, that is based in whole or part on credit information.   |
|               | N.J.A.C. 11:3-19A.3                |                       | No insurer may assign any applicant for insurance to a rating tier solely on the basis of the applicant's occupation, education or insurance score. Occupation, education and/or insurance score may be used to determine tier placement only when used in combination with other approved tier placement criteria.  |
|               | Bulletin 2004-05                   | Property and casualty | Insurance scoring is permitted, provided that consumer protections are maintained. Submit model to department for review; credit score may be considered as only one of the factors in determining rates; provide specific information if the insurer takes an adverse action.   |
|               | Bulletin 2009-28                   | Property and casualty | Insurers must provide exception to rates or underwriting rules for a consumer whose credit information has been directly influenced by an extraordinary life circumstance such as: catastrophic illness or injury; death of spouse, child or parent; divorce; identity theft; temporary loss of employment; and military deployment overseas. Insurer may only consider credit information not affected by the event or shall assign a neutral credit score.   |

**USE OF CREDIT REPORTS/SCORING IN UNDERWRITING**

| STATE        | REFERENCE   | LINE OF BUSINESS                          | SUMMARY OF PROVISIONS   |
|--------------|---|---|---|
| NM<br>(6/25) | § 56-3A-3   | All lines                                 | Security freeze on consumer credit report does not apply to a person or entity for use in setting or adjusting an insurance rate, adjusting an insurance claim or underwriting for insurance purposes.  |
|              | Bulletin 2002-001   |   | All insurers that use credit scoring in underwriting or rate making must submit all portions of the programs that include the use of credit scoring to the insurance division.  |
|              | §§ 59A-17A-1 to 59A-17A-11                                | Personal lines                            | May not include income, gender, race, color, religion, marital status, address, nationality, etc., as factors. May not base rates solely on credit score or consider absence of a credit history. Must recalculate credit score at least every 3 years. File scoring models with department. Insurers using credit information for underwriting shall, upon written request, provide a reasonable exception when the consumer's credit information has been adversely impacted by an extraordinary life circumstance that has occurred within 3 years of the date of application or renewal. If credit information is used in underwriting or rating, disclose either on the application or upon first renewal. Must provide specific reasons for adverse decision based on credit information. |
|              | N.M. Admin Code 13.8.6.1 to 13.8.6.9<br>Bulletin 2005-004 | Personal lines                            | Standards for the notification required in statute.<br><br>Clarification of several issues relating to the implementation of the Personal Insurance Credit Information Act.   |
| NY<br>(6/25) | Gen. Bus. § 380-i   | All lines                                 | Requires users of consumer reports to advise the consumer of adverse action taken in reliance on the report.  |
|              | OGC Opinion No. 96-1 (1/1/1996)                           | Homeowners                                | Must give specific reasons for cancellation during the first 60 days a covered policy is in effect.   |
|              | Ins. Law §§ 2801 to 2809                                  | Personal lines -<br>Property and casualty | May not include income, gender, ethnic group, religion, marital status, address, ZIP code, nationality, etc., as factors. May not base rates solely on credit score or consider absence of a credit history. Must recalculate credit score at least once every 3 years. May not consider medical industry codes. File scoring models with department. If credit information is used in underwriting or rating, must disclose to any insured on new or renewal policies. Must provide specific reasons for adverse decision based on credit information.   |
|              | 11 NYCRR 221.0 to 221.10 (Reg. 182)                       | Personal lines                            | Limitations upon and requirements for the use of credit information for personal lines insurance. Must notify if an adverse decision is based on credit information. Insurer that uses insurance scores to underwrite or rate risks must file its scoring models or other scoring processes with the superintendent at least 45 days prior to use.  |



**USE OF CREDIT REPORTS/SCORING IN UNDERWRITING**

| STATE        | REFERENCE                                 | LINE OF BUSINESS                   | SUMMARY OF PROVISIONS   |
|--------------|---|------------------------------------|---|
| NC<br>(6/25) | § 58-36-90                                | Private passenger auto, homeowners | May not use credit reports as sole rating factor. Must provide specific reasons for adverse decision based on credit information in a form approved by the commissioner. File scoring models with insurance department.   |
|              | §§ 58-39-25; 58-39-26; 58-39-45; 58-39-55 | All lines                          | Insurer shall disclose to consumer use of credit information at time of application or renewal. Must provide a copy of any personal information collected on an individual if individual requests within 30 days. If an adverse action is made in consideration of personal credit information, insurer must provide written notice in a form approved by commissioner with specific reasons for action to consumer.  |
|              | §§ 75-63 to 75-63.1                       | Property and casualty              | Security freeze on consumer credit report does not apply to any property and casualty insurance company for use in setting or adjusting a rate, adjusting a claim, or underwriting for property and casualty insurance purposes.  |
|              | Bulletin 2003-B-3                         |                                    | Requirements for insurers who have trade secret pages in their credit scoring models.   |
| ND<br>(6/25) | §§ 26.1-25.1-01 to 26.1-25.1-11           | Personal lines                     | May not include income, gender, ethnic group, religion, marital status, address, ZIP code, nationality, etc., as factors. May not base rates solely on credit score. May not consider absence of a credit history unless insurer treats the consumer as otherwise approved by the insurance commissioner if insurer presents information that such absence relates to the risk for insurer, if consumer is treated as though the credit information is neutral, or if credit information is excluded as a factor. Must recalculate credit score no later than 3 years. May not consider collection account with medical industry codes. If credit information is used in underwriting or rating, disclose either on the application or at the time the application is taken. Must provide specific reasons for adverse decision based on credit information. File scoring models with department. |
|              | § 51-33-06                                | All lines                          | Security freeze on consumer report does not apply a person or entity for use in setting or adjusting a rate, adjusting a claim, or underwriting for insurance purposes. This exemption does not determine or affect whether these uses are permitted under other law.   |
|              | Bulletin 6-29-2007                        | Property and casualty              | Must provide notice and specific reasons for any adverse actions taken in part based on credit information.   |

**USE OF CREDIT REPORTS/SCORING IN UNDERWRITING**

| STATE        | REFERENCE                       | LINE OF BUSINESS      | SUMMARY OF PROVISIONS  |
|--------------|---------------------------------|-----------------------|--|
| OH<br>(6/25) | Rule 3901-1-55                  | Property and casualty | Insurers must establish that credit history and credit scores are valid risk characteristics. May not use for discriminatory purposes. Credit history or credit score cannot be sole underwriting or rating factor. May not consider medical industry codes. Insurer must notify consumer credit information will be used in underwriting. Must provide significant factors for adverse decision based on credit information.  |
|              | § 1349.51                       | All lines             | No consumer reporting agency shall sell or otherwise furnish any information relative to an individual's insurance coverage that was submitted, in whole or in part, in conjunction with an insurance company's inquiry into an individual's credit history or request for a consumer report. This does not prohibit an insurance company from obtaining a claims history or motor vehicle report.   |
|              | § 1349.52                       | All lines             | A consumer credit reporting agency may release a credit report on which a security freeze has been placed to any person or entity for use in setting or adjusting a rate, adjusting a claim, or underwriting for insurance purposes.   |
|              | §§ 3904.04;<br>3904.08; 3904.10 | All lines             | Must disclose use of consumer report at time of application. Shall provide copy of information collected upon consumer's request if request made within 30 days. If adverse underwriting decision is made, insurer shall notify consumer and provide specific reasons for decision.  |
| OK<br>(6/25) | 24 Okl. St. § 155               | All lines             | Security freeze on consumer credit report does not apply to any person using the information in connection with the underwriting of insurance.   |
|              | 36 Okl.St.Ann.<br>§§ 950 to 959 | Personal lines        | Cannot use credit scores that use income, gender, address, ZIP code, ethnic group, religion, marital status, or nationality of the consumer as a factor. Credit information cannot be the sole basis used for underwriting. Lack of credit history shall not be considered negatively. Must recalculate score every 3 years. Cannot consider collection accounts with medical industry codes. Insurers must provide reasonable exception to rates or underwriting rules for a consumer whose credit information has been directly influenced by a: catastrophic illness or injury; death of spouse, child, or parent; divorce or involuntary interruption of legally owed alimony or support payments; identity theft; temporary loss of employment for a period of 3 months or more if involuntary termination; and military deployment overseas; and other events, as determined by the insurance commissioner. Must disclose use of credit information at time of application. If adverse action is taken based in whole or part on credit information, insurer must notify consumer of such action and provide specific reasons. Must file scoring models with the department. |

**USE OF CREDIT REPORTS/SCORING IN UNDERWRITING**

| STATE        | REFERENCE                                | LINE OF BUSINESS                          | SUMMARY OF PROVISIONS   |
|--------------|--|---|---|
| OR<br>(6/25) | §§ 746.635 to 746.640                    | All lines                                 | Insurer, insurance producer or insurance support organization may not prepare or request an investigative consumer report about a person involving an insurance transaction unless the insurer or agent informs the person that he may request to be interviewed in connection with the preparation of the report and that the person may request a copy of the report.   |
|              | §§ 746.600 to 746.686                    | Personal lines                            | In the event of an adverse underwriting decision, provide the specific reasons. May use credit history only in combination with other factors to decline coverage. May not consider absence of history. Consumer may request yearly rerating. File scoring models with department. May not cancel or nonrenew a policy of personal insurance based in whole or in part on a consumer's credit history or insurance score.   |
|              | OAR 836-080-0425 to 836-080-0440         | Personal lines -<br>Property and casualty | If credit information is used in underwriting or rating, insurer must disclose that fact at the time the application is taken. Each insurer that uses credit histories or insurance scores in the rating or underwriting for personal insurance shall establish a written policy. An insurer may use the category of absence of a credit history ("no hit") or the category of inability to determine a consumer's credit history. An insurer shall include in a notice of adverse underwriting decision. |
|              | § 646A.677                               | Health – Medical Debt                     | Effective 1/1/2026, a consumer reporting agency may not include in a consumer report an item that the consumer reporting agency knows or reasonably should know is medical debt.  |
|              | Bulletin 2003-8 (Revised)                | Personal lines                            | SB260 imposed new limits on the use of insurance scoring or credit history for personal insurer underwriting and rating.  |
|              | Bulletin 2010-4                          | Property and casualty                     | Answers specific questions about rerating a consumer's policy according to §§ 746.600, et seq.  |
| PA<br>(6/25) | 73 P.S. § 2503                           | All lines                                 | Notwithstanding a security freeze, the following entities may receive a consumer report: any person or entity for use in setting or adjusting a rate, issuing or underwriting a policy, adjusting a claim or servicing a policy for underwriting for property and casualty insurance purposes.  |
|              | Department Policy                        | Personal lines                            | Insurance companies may review your credit score when deciding whether or not to insure your home or vehicle.<br><br><a href="https://www.insurance.pa.gov/Coverage/Documents/Misc/credit.pdf">https://www.insurance.pa.gov/Coverage/Documents/Misc/credit.pdf</a>  |
|              | Notice No. 2020-7; Notice 4-25-2020 (#4) | Automobile                                | Flexibility suggested with regard to credit scores due to COVID-19.   |

**USE OF CREDIT REPORTS/SCORING IN UNDERWRITING**

| STATE        | REFERENCE                                       | LINE OF BUSINESS             | SUMMARY OF PROVISIONS   |
|--------------|---|------------------------------|---|
| PR<br>(6/25) | 26 L.P.R.A. § 2708                              | Personal lines               | No insurer shall cancel an insurance coverage if it were otherwise cancelable or shall refuse to grant or renew an insurance policy using as only basis the credit history of said applicant or insured, unless the insurer has creditable substantial documentation that the credit history is significantly related to the risk insured or to be insured or that the credit history of the applicant or insured significantly increases the risk insured by the policy.                                 |
| RI<br>(6/25) | § 6-13.1-21                                     | All lines                    | May not request a credit report without first notifying the insurance applicant. If deny coverage or charge more, must notify consumer that is due to credit report.  |
|              | § 6-48-5  |                              | Security freeze on consumer credit report does not apply to any person or entity for use in setting or adjusting a rate, adjusting a claim, or underwriting for insurance purposes.   |
|              | §§ 27-6-53;<br>27-9-56;<br>230-RICR-20-05-3.13  | Homeowners and personal auto | May use credit scoring for rating and underwriting only if the insurer demonstrates the predictive nature of the score to the insurance department. If requested by customer, must do new insurance score every 2 years and lower rates if score is better. May not use revised score to raise rates except as noted. Rates may only be changed at time of renewal. List of factors that may not be considered. Reporting agency may not sell data or lists that include information about credit report. |
|              | 230-RICR-20-05-2.7                              | Auto                         | An insurer may not decline insurance for a new customer based solely on an insurance score, or absence of an insurance score. An insurer which uses an insurance score in rating or underwriting must demonstrate the statistically predictive nature of the insurance score utilized in conjunction with its rate filing.  |
|              | 230-RICR-20-05-15.6                             |                              | Exception to use of credit for extraordinary life events including a catastrophic event, serious illness or serious injury, death of a close relative, divorce, identity theft, temporary loss of employment for a period of 3 months or more from involuntary termination, or military deployment overseas.  |
|              | Bulletin 2002-16;<br>Bulletin 2002-16 (Amended) | Homeowners and personal auto | May not decline insurance for a new consumer based solely on the credit score. If use in rating, must demonstrate the statistically predictive nature of the score in the rate filing.  |

**USE OF CREDIT REPORTS/SCORING IN UNDERWRITING**

| STATE        | REFERENCE                    | LINE OF BUSINESS                          | SUMMARY OF PROVISIONS   |
|--------------|------------------------------|---|---|
| SC<br>(6/25) | § 37-20-160                  | All lines                                 | Security freeze on consumer file does not apply to an insurance company for the purpose of conducting its ordinary business.  |
|              | § 38-73-740                  | Auto                                      | Credit report used as basis for rate classification must be kept on file by the insurer for 3 years and be available to the applicant.  |
|              | §§ 38-73-425;<br>38-73-325   | Property and casualty                     | An insurer may use absence of credit as a criterion for underwriting if the insurer presents information satisfactory to the director that the absence is related to the risk.  |
|              | Bulletin 4-2002              | Private passenger auto                    | May not refuse to insure, cancel or nonrenew based solely on credit history or credit score. A filing including credit scoring must include justification. Should disclose to consumer that insurer may gather and consider credit information with application and in future.  |
|              | Bulletins 9-2004;<br>12-2004 | Property and casualty                     | If insurers use lack of a credit score as underwriting criteria, must provide the department with support by filing an underwriting guide. Must get approval from department before using lack of a credit score as a criterion for underwriting.   |
|              | Bulletin 2-2013              | Private passenger auto                    | Many companies use credit score as just one of several attributes in overall tier selection; in other words, they define ‘risk’ as the full set of attributes, not just the credit score. However, the data call instructions are to rate to the above average, average, and below average credit score. Insurers should only look at the credit score. |
| SD<br>(6/25) | §§54-15-12                   | All lines                                 | Security freeze on consumer credit report does not apply to any person or entity for use in setting or adjusting a rate, adjusting a claim, or underwriting for insurance purposes.   |
|              | § 54-16-3                    |   | Security freeze does not apply to an insurance company for the purpose of conducting its ordinary business.   |
|              | Bulletin 2002-3              | Personal lines -<br>Property and casualty | May not use credit information as the sole rating factor.   |

## USE OF CREDIT REPORTS/SCORING IN UNDERWRITING

| STATE        | REFERENCE               | LINE OF BUSINESS                          | SUMMARY OF PROVISIONS  |
|--------------|-------------------------|---|--|
| TN<br>(6/25) | Department Policy       | All lines                                 | Justification for use of credit scoring must be provided in the filing. Credit scoring cannot be the sole basis for determining rates.   |
|              | § 47-18-2108            |   | Security freeze on consumer report does not apply to any person or entity for the purpose of setting or adjusting a rate, adjusting a claim, or underwriting for insurance purposes.   |
|              | §§ 56-5-201 to 56-5-207 | Personal lines -<br>Property and casualty | May not include income, gender, ethnic group, religion, marital status, address, nationality, education, occupation, etc., as factors. May not base rates solely on credit score or consider absence of a credit history. Must recalculate credit score after 3 years. May not consider medical industry codes. Insurer must notify consumer credit information will be used in underwriting. Must provide specific reasons for adverse decision based on credit information. File scoring models with department. |
|              | Bulletin 12-13-04       | Personal lines                            | Sets procedures for filing of credit scoring models.   |

**USE OF CREDIT REPORTS/SCORING IN UNDERWRITING**

| STATE        | REFERENCE  | LINE OF BUSINESS                      | SUMMARY OF PROVISIONS  |
|--------------|--|---------------------------------------|--|
| TX<br>(6/25) | BUS. & COM.<br>§ 20.02   | All lines                             | Consumer reporting agency may furnish credit report where the insurer intends to use it for underwriting.  |
|              | BUS. & COM.<br>§ 20.05   | Life                                  | May use credit report in underwriting life insurance expected to have a value of \$150,000 or more.  |
|              | INS. § 560.002   | All lines                             | Insurers may not use rates that are unfairly discriminatory.   |
|              | 28 TAC §§ 5.9340 to 5.9342; INS. §§ 38.002 to 38.003; 28 TAC §§ 5.9350 to 5.9352 | Personal lines; property and casualty | Filing requirements for credit scoring models and underwriting guidelines.   |
|              | 28 TAC §§ 5.9940 to 5.9941   | Personal lines                        | Disclosure statement for consumers on how score is calculated, right to appeal, requirement for actuarial justification. Rate differences due solely to use of credit scoring must be supported by actuarial analysis.   |
|              | INS. §§ 559.001 to 559.201; Bulletin Nos. B-0048-03; B-0010-05                   | Personal lines                        | Insurer may not use credit scoring that is computed using factors that constitute unfair discrimination. Shall not refuse to renew an insurance policy solely based on credit information. If credit information is used in underwriting or rating, disclose that fact at the time the application is taken. May not consider medical industry codes. Must provide specific reasons for adverse decision based on credit information. Insurers must provide exception to rates or underwriting rules for a consumer whose credit information has been directly influenced by an extraordinary life circumstance such as: catastrophic illness or injury; death of spouse, child, or parent; divorce; identity theft; temporary loss of employment; and military deployment overseas. Insurer may only consider credit information not affected by the event or shall assign a neutral credit score. File scoring models with department. |
|              | INS. § 559.058   | Personal lines                        | Effective 9/1/2025, credit information must be current within 90 days from time policy is first issued or renewed if insurer uses report information for an adverse action. Update credit scores every 36 months and reassess policy rating and adjust premiums based on updated credit score. Insured or insured's agent may request, on renewal of a policy, the insurer re-underwrite and re-rate the policy based upon a current credit report or insurance score not exceeding once each 12-month period. Insurer may obtain an insured's credit score before the expiration of the 36-month period.  |
|              | Bulletin No, B-0021-20   | Personal lines                        | In response to the COVID-19 pandemic - Bulletin reminds insurers § 559.103 provides for exceptions to the use of credit scores.  |

**USE OF CREDIT REPORTS/SCORING IN UNDERWRITING**

| <b>STATE</b> | <b>REFERENCE</b>                | <b>LINE OF BUSINESS</b> | <b>SUMMARY OF PROVISIONS</b>   |
|--------------|---------------------------------|-------------------------|--|
| UT<br>(6/25) | § 31A-22-1307                   | Homeowners' liability   | Insurer that uses credit reports in underwriting shall comply with federal Consumer Credit Reporting Act.  |
|              | § 31A-22-320                    | Auto                    | May only use credit information to reduce rates or in conjunction with other factors.  |
|              | U.A.C. R590-219-1 to R590-219-8 | Private passenger auto  | Inform consumer of factors used in adverse underwriting decision. May not use credit information to cancel or not renew coverage that has been in place 60 days or more or as the primary reason to refuse to issue a new policy.  |
| VT<br>(6/25) | 8 V.S.A. § 4727                 | Personal lines          | Cannot use credit scores that use income, gender, address, ZIP code, ethnic group, religion, marital status, or nationality of the consumer as a factor. Credit information cannot be the sole basis used for underwriting. Lack of credit history shall not be considered negatively. Must recalculate score every 3 years. Cannot consider collection accounts with medical industry codes. Must provide exception for extraordinary life circumstances like a catastrophic event, serious illness, death of immediate family member, divorce, identity theft, temporary loss of employment (3 months or more, involuntary termination), military deployment overseas, or other events as determined by the insurer. Must disclose use of credit information at time of application or renewal. If adverse action is taken based in whole or part on credit information, insurer must notify consumer of such action and provide specific reasons. Must file scoring models with the department. |
|              | 9 V.S.A. § 2480h                | All lines               | Security freeze on a consumer report does not apply to any property and casualty insurance company for use in setting or adjusting a rate or underwriting for property and casualty insurance purposes.  |
| VI<br>(6/25) | No provision                    |                         |  |



**USE OF CREDIT REPORTS/SCORING IN UNDERWRITING**

| <b>STATE</b> | <b>REFERENCE</b>           | <b>LINE OF BUSINESS</b>      | <b>SUMMARY OF PROVISIONS</b>  |
|--------------|----------------------------|------------------------------|---|
| VA<br>(6/25) | § 38.2-607                 | All lines                    | Insurers may not prepare an investigative consumer report unless it informs the individual.   |
|              | § 38.2-610                 | All lines                    | Must provide specific reason for adverse underwriting.  |
|              | §§ 38.2-2114;<br>38.2-2212 | Auto, fire                   | Insurers shall not refuse to renew an insurance policy solely based on credit information contained in a consumer report, bearing on an individual's creditworthiness, credit standing or credit capacity. If credit information is used in part, it shall be based on a consumer report procured within 120 days from effective date of nonrenewal.  |
|              | Admin. Letter<br>2002-6    | All lines                    | Any insurer intending to use credit score must file the model prior to their use.   |
|              | §§ 38.2-2126;<br>38.2-2234 | Homeowners, renters,<br>auto | Disclose to consumer that insurer may gather and consider credit information. Must provide specific reasons for adverse decision based in whole or in part on credit information. May not include income, gender, ethnic group, race, color, religion, marital status, address, ZIP code, nationality, etc., as factors. May not base rates solely on credit score or consider absence of a credit history. Must recalculate credit score after 3 years. May not consider medical industry codes. |
|              | § 59.1-444.2               | All lines                    | Security freeze on consumer credit report does not apply to any person or entity for use in setting or adjusting a rate, adjusting a claim, or underwriting for insurance purposes.   |

**USE OF CREDIT REPORTS/SCORING IN UNDERWRITING**

| STATE        | REFERENCE                           | LINE OF BUSINESS                                 | SUMMARY OF PROVISIONS  |
|--------------|-------------------------------------|--|--|
| WA<br>(6/25) | § 48.18.545                         | Personal lines                                   | Credit history or insurance score may not be used to cancel or non-renew insurance. May only be used to deny coverage if combined with other substantive underwriting factors. Must provide specific reasons for adverse decision based on credit information. May not consider absence of credit history or medical accounts.   |
|              | § 48.19.035                         | Personal lines                                   | Credit history shall not be used to determine insurance rates unless the credit scoring models are filed with the commissioner. Insurance scoring models include all attributes and factors used in the calculation of an insurance score.   |
|              | WAC § 284-24-140                    | Personal lines                                   | When an insurer updates an insurance score, it must update all information necessary to determine the insurance score, rather than partially update the score. This process must include updating credit information on policyholders who were previously classified as "no hit" or "no score."  |
|              | WAC 284-24A-001 to 284-24A-065      | Personal lines                                   | Regulation describes standards that apply to insurers that use credit history. Insurer must tell a consumer of an adverse action and the significant factors that explain the adverse action.  |
|              | WAC 284-24A-88 to 284-24A-090       | Personal lines – Auto, renter's, and homeowner's | Temporary prohibition of use of credit history due to COVID-19. The temporary prohibition will remain in effect for three years following the day the COVID-19 national emergency terminates, or the day the Governor's Proclamation 20-05 expires, whichever is later.  |
| WV<br>(6/25) | Bulletin No. 2020-12 (May 15, 2020) | Personal lines                                   | Data not used in an unfairly discriminatory manner based upon age, race, socioeconomic class, occupation, nationality, religion, sex, or handicap, either directly or indirectly. May not be sole basis for deciding whether to write coverage. Disclose to consumer that insurer may gather and consider credit information with application. If used for rating, must recheck scores of policyholders no less than every 3 years. Must provide specific reasons for adverse decision based on credit information. Insurers using insurance scores for rating shall make a filing that includes actuarial justification for those factors when there is a change in rating factors. |
|              | § 33-6B-3                           | Auto   | May not decline a policy based solely on adverse credit report or adverse credit scoring.  |
|              | § 33-17A-6                          | Property   | May not decline a policy based solely on adverse credit report or adverse credit scoring.  |
|              | § 46A-6L-102                        | All lines  | Security freeze on consumer credit report does not apply to any person or entity for use in setting or adjusting a rate, adjusting a claim or underwriting for insurance purposes to the extent not otherwise prohibited by law.   |

**USE OF CREDIT REPORTS/SCORING IN UNDERWRITING**

| STATE        | REFERENCE               | LINE OF BUSINESS                        | SUMMARY OF PROVISIONS   |
|--------------|-------------------------|---|---|
| WI<br>(6/25) | Bulletin No.<br>6-16-97 | Personal lines - Auto<br>and homeowners | Can use credit reports but not as the sole reason to refuse, cancel or nonrenew a policy.   |
|              | § 321.62                | All lines                               | No person may use the fact that a service member has applied for, or received, a stay, postponement, or suspension in the payment of a tax, fine, penalty, insurance premium, or other liability as the basis for assembling or evaluating consumer credit information, making an adverse report on the creditworthiness of the service member. |
|              | § 100.545               |   | Security freeze on consumer credit report does not apply to an insurance company for the purpose of conducting its ordinary business.   |
| WY<br>(6/25) | § 26-2-134              | Personal lines – Auto<br>and homeowners | Authority to adopt regulation to provide that credit history may not be sole factor and to require disclosures. Protect consumers against unfair discrimination.  |
|              | § 40-12-505             | All lines                               | Freeze on consumer credit report does not apply to setting or adjusting of a rate, adjusting a claim or underwriting for insurance purposes.  |

This chart does not constitute a formal legal opinion by the NAIC staff on the provisions of state law and should not be relied upon as such. Every effort has been made to provide correct and accurate summaries to assist the reader in targeting useful information. For further details, the statutes and regulations cited should be consulted. The NAIC attempts to provide current information; however, readers should consult state law for additional adoptions.