

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1999

H

1

HOUSE BILL 322

Short Title: Credit History in Insurance/AB.

(Public)

---

Sponsors: Representatives Wright; Luebke and Hunter.

---

Referred to: Insurance.

---

March 4, 1999

A BILL TO BE ENTITLED

AN ACT TO PROHIBIT INSURERS FROM USING PERSONS' CREDIT RECORDS,  
HISTORIES, OR RATINGS IN WRITING CERTAIN LINES OF INSURANCE.

The General Assembly of North Carolina enacts:

Section 1. G.S. 58-3-25 is amended by adding a new subsection to read:

"(c1) No insurer shall refuse to insure or refuse to continue to insure an individual; limit the amount, extent, or kind of coverage available to an individual; or charge an individual a different rate for the same coverage, because of the credit record, history, or rating of that individual. This subsection supplements the provisions of G.S. 58-3-120, 58-33-80, 58-58-35, and 58-63-15(7). This subsection does not apply to fidelity and surety insurance as defined in G.S. 58-7-15(16), to credit insurance as defined in G.S. 58-7-15(17), or to insurance written under Article 57 of this Chapter."

Section 2. G.S. 58-65-85 reads as rewritten:

**"§ 58-65-85. Discriminatory practices prohibited.**

No person subject to this Article and Article 66 of this Chapter shall refuse to issue or refuse to reissue to an individual any certificate, plan, or contract governed by this Article and Article 66 of this Chapter; limit the amount, extent, or kind of services available to an individual; or charge an individual a different rate for the same services, because of the credit record, history, or rating of that individual or because of the race, color, or national or ethnic origin of that individual."

1           Section 3. G.S. 58-67-65(f) reads as rewritten:

2           "(f) No health maintenance organization shall refuse to enroll an individual or  
3 refuse to continue enrollment of an individual in a health care plan; limit the amount,  
4 extent, or kinds of health care plans available to an individual; or charge an individual a  
5 different rate for the same health plan, because of the credit record, history, or rating of  
6 that individual or because of the race, color, or national or ethnic origin of that  
7 individual."

8           Section 4. This act becomes effective October 1, 1999.