SENATE

. No. 461

The Commonwealth of Massachusetts

PRESENTED BY:

Michael J. Rodrigues

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the passage of the accompanying:

An Act banning the use of certain socio-economic factors for insurance underwriting and rating of motor vehicle liability insurance..

PETITION OF:

NAME:	DISTRICT/ADDRESS:
Michael J. Rodrigues	
	\Box [District]
Patricia A. Haddad	5th Bristol
Frederick E. Berry	
	\Box [District]
Karen E. Spilka	
	\Box [District]
Benjamin B. Downing	Berkshire, Hampshire, and Franklin
Michael O. Moore	
	\Box [District]
Thomas P. Kennedy	
	\Box [District]

Michael R. Knapik	
-	\Box [District]
Marc R. Pacheco	
	\Box [District]
Katherine M. Clark	Middlesex and Essex
Kenneth J. Donnelly	
	\Box [District]
Gale D. Candaras	
	\Box [District]
James B. Eldridge	
	\Box [District]
James T. Welch	
	\Box [District]
Paul J. Donato	35th Middlesex
Steven M. Walsh	11th Essex
Bradley H. Jones, Jr.	20th Middlesex
Viriato Manuel deMacedo	1st Plymouth
Thomas A. Golden, Jr.	16th Middlesex
David B. Sullivan	6th Bristol
James J. Dwyer	30th Middlesex
Cory Atkins	14th Middlesex
F. Jay Barrows	1st Bristol
Christopher N. Speranzo	3rd Berkshire
James Arciero	2nd Middlesex
Timothy R. Madden	Barnstable, Dukes and Nantucket
Linda Campbell	15th Essex
Kevin J. Kuros	8th Worcester
Angelo J. Puppolo, Jr.	12th Hampden
Thomas J. Calter	12th Plymouth
Elizabeth A. Malia	11th Suffolk
Nicholas A. Boldyga	3rd Hampden
Dennis A. Rosa	4th Worcester
Cheryl A. Coakley-Rivera	10th Hampden

John P. Fresolo	16th Worcester
Michael F. Kane	5th Hampden
Steven S. Howitt	4th Bristol
Angelo L. D'Emilia	8th Plymouth
James J. Lyons, Jr.	18th Essex
Bruce J. Ayers	1st Norfolk
Elizabeth A. Poirier	14th Bristol
Colleen M. Garry	36th Middlesex
John H. Rogers	12th Norfolk
Stephen L. DiNatale	3rd Worcester
James M. Murphy	4th Norfolk
David Paul Linsky	5th Middlesex
James R. Miceli	19th Middlesex
John W. Scibak	2nd Hampshire
Stephen R. Canessa	12th Bristol
Geraldine M. Creedon	11th Plymouth
Anne M. Gobi	5th Worcester
Michael J. Finn	6th Hampden
Peter V. Kocot	1st Hampshire
Alice Hanlon Peisch	14th Norfolk
Thomas M. Stanley	9th Middlesex
Stephen Kulik	1st Franklin
William Smitty Pignatelli	4th Berkshire
John J. Binienda	17th Worcester
Kimberly N. Ferguson	1st Worcester
Susan Williams Gifford	2nd Plymouth
Sheila C. Harrington	1st Middlesex
Louis L. Kafka	8th Norfolk
Benjamin Swan	11th Hampden
Kevin Aguiar	7th Bristol
Donald F. Humason, Jr.	4th Hampden
Sarah K. Peake	4th Barnstable

SENATE No. 461

[Pin Slip]

[SIMILAR MATTER FILED IN PREVIOUS SESSION SEE

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□ HOUSE , NO. *1024* OF 2009-2010.]

The Commonwealth of Massachusetts

An Act banning the use of certain socio-economic factors for insurance underwriting and rating of motor vehicle liability insurance..

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 SECTION 1. Chapter 175 of the General Laws is hereby amended by inserting after 2 Section 4C, as appearing in the 2006 official edition, the following section:-

Section 4D. No insurer, engaged in writing motor vehicle liability insurance in the commonwealth, shall in connection with underwriting of said insurance, shall refuse to issue or renew a motor vehicle liability policy or bond or any other insurance based on the ownership or operation of a motor vehicle based upon credit information, including but not limited to a numerical credit-based insurance score, other credit rating of an insured, or education or occupation or any other information or factors that would be considered as proxies for credit scores, education or occupation; and provided, further, no insurer shall file rates, pursuant to chapter 175E, based on credit information, including but not limited to a numerical credit-bases insurance score, other credit rating of an applicant or insured, or the education or occupation of the insured or any other information or factors that would be considered as proxies for credit scores, education or occupation.

SECTION 2. Section 113B of said chapter 175, as so appearing in the 2006 official edition, is hereby amended by adding the following paragraph:- The commissioner shall not fix or establish any rates, premium charges, premium adjustments, or classifications of risks based in whole or in part on credit information relating to an insured, including but not limited to a

- 18 numerical credit based insurance score, other credit rating of an insured, or education or
- 19 occupation or any other information or factors that would be considered as proxies for credit
- 20 scores, education or occupation; and provided, further, that no insurer, in connection with
- 21 underwriting motor vehicle liability insurance or bonds on any other insurance based on the
- 22 ownership or operation of a motor vehicle, shall refuse to issue or renew said insurance or bond
- 23 based upon credit information, including but not limited to a numerical credit-based insurance
- 24 score, other credit rating of an insured or applicant, or education or occupation, or any other
- 25 information or factors that would be considered as proxies for credit scores, education or
- 26 occupation.
- 27 SECTION 3. Subsection (a) of section 5 of chapter 175A of the General Laws, as so
- 28 appearing in the 2006 Official Editions, is hereby amended by striking out subdivision 4. and
- 29 inserting in place thereof the following subdivision:-
- 4. Rates shall not be excessive, inadequate or unfairly discriminatory and shall not be
- 31 based in part or in whole on credit information relating to an insured, including but not limited to
- 32 a numerical credit-based insurance score, other credit rating of an insured, or education or
- 33 occupation or any other information or factors that would be considered as proxies for credit
- 34 scores, education or occupation.
- 35 SECTION 4. Section 4 of chapter 175E of the General Laws, as so appearing in the 2006
- 36 Official Edition, inserting after the work "discriminatory", in line 5, the following words:- and
- 37 shall not be based in whole or in part on any credit information relating to an insured, including
- 38 but not limited to, a numerical credit-based insurance score, other credit rating of an insured, or
- 39 education or occupation, or any other information or factors that would be considered as proxies
- 40 for credit scores, education or occupation; and provided, further, that no insurer, in connection
- 41 with underwriting motor vehicle liability insurance or bonds or any other insurance based on the
- 42 ownership or operation of a motor vehicle, shall refuse to issue or renew said insurance or bond
- 43 based upon credit information, including but not limited to a numerical credit-based insurance
- 44 score, other credit rating of an insured or applicant, or education or occupation or any other
- 45 information or factors that would be considered as proxies for credit scores, education or
- 46 occupation.
- 47 SECTION 5. Section 3 of chapter 176D of the General Laws, as so appearing in the 2006
- 48 Official Edition, is hereby amended by inserting after the word "sections", in line 170, the
- 49 following words:- four D
- 50 SECTION 6. Section 51 of chapter 93 subsections (a) (3) (iii) is hereby deleted.