

CREDIT SCORING IN INSURANCE

LEGISLATOR NOTICE

The Legislative Services Division is required to offer a brief history on the subject matter of a bill draft request prior to drafting (5-4-105, MCA; [Chapter 309, Laws of 2017](#)). The history must include related legislation introduced over the last five sessions and hyperlinks to the bill, hearing information, and fiscal notes. The legislation links below open to the page showing the status and history of bills introduced on this topic in the past. The bill text and any related fiscal notes can be accessed through the link at the top of that page.

Legislation can be complex and this history is not intended to be exhaustive. Please contact the drafter of the requested bill for more information.

Background Materials and Research

Topic Summary: Credit scoring in insurance is generally governed under the Montana Use of Credit Information in Personal Insurance Act in Title 33, chapter 18, part 6. This act was created in 2005 and applies to personal insurance policies. "Personal insurance" means private passenger automobile, home owners, motorcycle, mobile home owners, and noncommercial dwelling fire insurance policies and boat, personal watercraft, snowmobile, and recreational vehicle policies. The Act generally allows insurers to use credit scores in determining premium – with some restrictions. As of 2018, the credit act has not been substantially amended since its inception in 2005.

Legislative Services Division Materials:

Other Materials:

Introduced Legislation

2017

[HB 545](#) -- (H) Died in Standing Committee -- AN ACT PROHIBITING THE USE OF CREDIT INFORMATION IN WRITING PERSONAL INSURANCE; AMENDING SECTIONS 33-18-210 AND 33-19-205, MCA; AND REPEALING SECTIONS 33-18-601, 33-18-602, 33-18-603, 33-18-604, 33-18-605, 33-18-606, 33-18-607, 33-18-608, 33-18-609, 33-18-610, 33-18-611, AND 33-18-612, MCA.

[HB 291](#) -- (H) Died in Process -- AN ACT PROHIBITING CERTAIN UNDERWRITING ~~FACTORS~~ PRACTICES FOR PRIVATE PASSENGER MOTOR VEHICLE POLICIES; AMENDING SECTIONS 33-18-210 AND 33-18-603, MCA; AND PROVIDING AN APPLICABILITY DATE.

2015

[HB 531](#) -- (H) Missed Deadline for General Bill Transmittal -- AN ACT PROHIBITING CERTAIN UNDERWRITING FACTORS FOR PRIVATE PASSENGER MOTOR VEHICLE POLICIES; AND AMENDING SECTIONS 33-18-210 AND 33-18-603, MCA.

[SB 208](#) -- (S) Missed Deadline for General Bill Transmittal -- AN ACT PROHIBITING THE USE OF CREDIT INFORMATION IN WRITING PERSONAL INSURANCE; AMENDING SECTIONS 33-18-210 AND 33-19-205, MCA; REPEALING SECTIONS 33-18-601, 33-18-602, 33-18-603, 33-18-604, 33-18-605, 33-18-606, 33-18-607, 33-18-608, 33-18-609, 33-18-610, 33-18-611, AND 33-18-612, MCA.

2013

N/A

2011

[SB 137](#) -- (S) Died in Standing Committee -- AN ACT PROHIBITING AN INSURER WRITING AUTOMOBILE INSURANCE FROM REFUSING TO INSURE OR REFUSING TO CONTINUE TO INSURE AN INDIVIDUAL OR FROM VARYING RATES OR LIMITING THE SCOPE OR AMOUNT OF COVERAGE OR BENEFITS AVAILABLE TO AN INDIVIDUAL BASED IN ANY PART ON THE INSURER'S KNOWLEDGE OF THE INDIVIDUAL'S CREDIT HISTORY; AMENDING SECTION 33-18-210, MCA; AND REPEALING SECTIONS 33-18-601, 33-18-602, 33-18-603, 33-18-604, 33-18-605, 33-18-606, 33-18-607, 33-18-608, 33-18-609, 33-18-610, AND 33-18-611, MCA.

[SB 260](#) -- (H) Died in Standing Committee -- AN ACT REQUIRING INSURERS THAT SELL MOTOR VEHICLE LIABILITY POLICIES IN THIS STATE TO PROVIDE TO POTENTIAL CUSTOMERS INFORMATION THAT DISCLOSES THE GENERAL FACTORS THE INSURER USES TO SET RATES OR PREMIUMS; AND GRANTING THE COMMISSIONER OF INSURANCE RULEMAKING AUTHORITY TO IMPLEMENT THE DISCLOSURE REQUIREMENT.

[LC1317](#) -- (C) Draft Died in Process -- AN ACT PROVIDING THAT AN INSURER MAY NOT TAKE ADVERSE ACTION AGAINST A CONSUMER BASED ON CREDIT INFORMATION THAT IS MORE THAN 3 YEARS OLD; ALLOWING AN INSURER TO PROVIDE DISCOUNTS TO AN INSURER BASED ON CREDIT INFORMATION THAT IS MORE THAN 3 YEARS OLD; AND AMENDING SECTION 33-18-605, MCA.

2009

[SB 195](#) -- (S) Died in Standing Committee -- AN ACT PROHIBITING AN INSURER WRITING AUTOMOBILE INSURANCE FROM REFUSING TO INSURE OR REFUSING TO CONTINUE TO INSURE AN INDIVIDUAL OR VARYING RATES OR LIMITING THE SCOPE OR AMOUNT OF COVERAGE OR BENEFITS AVAILABLE TO AN INDIVIDUAL BASED IN ANY PART ON THE INSURER'S KNOWLEDGE OF THE INDIVIDUAL'S CREDIT HISTORY; AMENDING SECTION 33-18-210, MCA; AND REPEALING SECTIONS 33-18-601, 33-18-602, 33-18-603, 33-18-604, 33-18-605, 33-18-606, 33-18-607, 33-18-608, 33-18-609, 33-18-610, AND 33-18-611, MCA.