

**As Reported by the House Banking, Pensions and Securities
Committee**

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Sub. S. B. No. 151

**Senators Austria, Schuring, Jacobson, Armbruster, Harris, Roberts, Spada
Representatives G. Smith, Gibbs, Schmidt, Schneider, J. Stewart, Seitz**

A B I L L

To enact section 1349.51 of the Revised Code to 1
prohibit consumer reporting agencies from 2
disclosing certain information obtained from 3
insurer inquiries, and to indemnify licensed 4
resident insurance agents for liability resulting 5
from the use of credit information or insurance 6
scores for an insurance company. 7

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF OHIO:

Section 1. That section 1349.51 of the Revised Code be 8
enacted to read as follows: 9

Sec. 1349.51. (A) As used in this section: 10
(1) "Consumer report" and "consumer reporting agency" have 11
the same meanings as in the "Fair Credit Reporting Act," 84 Stat. 12
1128 (1970), 15 U.S.C.A. 1681a, as amended. 13
(2) "Licensed resident insurance agent" means any natural 14
person or business entity licensed as a resident insurance agent 15
under section 3905.06 of the Revised Code. 16
(B) No consumer reporting agency shall sell or otherwise 17
furnish any information relative to an individual's insurance 18

<u>coverage that was submitted, in whole or in part, in conjunction</u>	19
<u>with an insurance company's inquiry into an individual's credit</u>	20
<u>history or request for a consumer report. This information</u>	21
<u>includes, but is not limited to, the expiration date of an</u>	22
<u>insurance policy, information that may be used to find a policy's</u>	23
<u>expiration date or approximate expiration date, and the terms and</u>	24
<u>conditions of an insurance policy.</u>	25
<u>(C) Division (B) of this section does not prohibit a consumer</u>	26
<u>reporting agency from furnishing information relative to an</u>	27
<u>individual's insurance coverage to the agent or producer that</u>	28
<u>supplied the information.</u>	29
<u>(D) Division (B) of this section does not prohibit a consumer</u>	30
<u>reporting agency from furnishing information relative to an</u>	31
<u>individual's insurance coverage to an insurance company, the</u>	32
<u>insurer's affiliates, or members of a holding company in which the</u>	33
<u>insurer is a member, if the information was supplied by an agent</u>	34
<u>or producer acting on behalf of the insurer.</u>	35
<u>(E) Nothing in this section shall be construed to prohibit an</u>	36
<u>insurance company from obtaining a claims history or motor vehicle</u>	37
<u>report.</u>	38
<u>(F) An insurance company shall indemnify, defend, and hold</u>	39
<u>harmless its licensed resident insurance agent from and against</u>	40
<u>all liability, damages, fees, and costs arising out of or relating</u>	41
<u>to the actions, errors, or omissions of its licensed resident</u>	42
<u>insurance agent resulting from the use of credit information or</u>	43
<u>insurance scores for the insurance company, provided that its</u>	44
<u>licensed resident insurance agent follows the procedures and</u>	45
<u>instructions established by the insurance company for its licensed</u>	46
<u>resident insurance agent, works within the authority granted by</u>	47
<u>the insurance company to its licensed resident insurance agent,</u>	48
<u>and complies with all applicable laws and regulations. Nothing in</u>	49

<u>this section shall be construed to provide a consumer or insured with a cause of action that does not exist in the absence of this section.</u>	50
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