

**As Reported by the Senate Insurance, Commerce and Labor  
Committee**

**125th General Assembly  
Regular Session  
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**Sub. S. B. No. 151**

**Senators Austria, Schuring, Jacobson**

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**A B I L L**

To enact sections 1349.04 and 1349.51 of the Revised Code to require consumer reporting agencies to furnish consumers with one free consumer report per calendar year, to prohibit consumer reporting agencies from disclosing certain information obtained from insurer inquiries, and to indemnify insurance agents who obtain or use credit information or insurance scores for an insurer.

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

**Section 1.** That sections 1349.04 and 1349.51 of the Revised Code be enacted to read as follows:

Sec. 1349.04. (A) As used in this section, "consumer," "consumer report," and "consumer reporting agency that compiles and maintains files on consumers on a nationwide basis" have the same meanings as in the "Fair Credit Reporting Act," 84 Stat. 1128 (1970), 15 U.S.C.A. 1681a, as amended.

(B) Each consumer reporting agency that compiles and maintains files on consumers on a nationwide basis shall furnish, upon request and without charge, to any consumer who has provided an appropriate verification of the consumer's identity, one complete consumer report per calendar year.

Sec. 1349.51. (A) As used in this section, "consumer report" and "consumer reporting agency" have the same meanings as in the "Fair Credit Reporting Act," 84 Stat. 1128 (1970), 15 U.S.C.A. 1681a, as amended.

(B) No consumer reporting agency shall sell or otherwise furnish a consumer report containing 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 information includes, but is not limited to, the expiration date of an insurance policy, information that may be used to find a policy's expiration date or approximate expiration date, and the terms and conditions of an insurance policy.

(C) Division (B) of this section does not prohibit a consumer reporting agency from furnishing information relative to an individual's insurance coverage to the agent or producer that supplied the information.

(D) Division (B) of this section does not prohibit a consumer reporting agency from furnishing information relative to an individual's insurance coverage to an insurance company, the insurer's affiliates, or members of a holding company in which the insurer is a member, if the information was supplied by an agent or producer acting on behalf of the insurer.

(E) Nothing in this section shall be construed to prohibit an insurance company from obtaining a claims history or motor vehicle report.

(F) An insurance company shall indemnify, defend, and hold harmless a licensed insurance agent from and against all liability, fees, and costs arising out of or relating to the actions, errors, or omissions of an insurance agent who obtains or

uses credit information or insurance scores for the insurer, 51  
provided that the insurance agent follows the procedures and 52  
instructions established by the insurance company and complies 53  
with all applicable laws and regulations. Nothing in this section 54  
shall be construed to provide a consumer or insured with a cause 55  
of action that does not exist in the absence of this section. 56