

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2211 Session of  
2024

INTRODUCED BY HOWARD, McNEILL, PROBST, HILL-EVANS, T. DAVIS,  
ISAACSON, CERRATO AND SANCHEZ, APRIL 15, 2024

REFERRED TO COMMITTEE ON INSURANCE, APRIL 15, 2024

AN ACT

1 Amending Title 40 (Insurance) of the Pennsylvania Consolidated  
2 Statutes, providing for prohibited activities related to use  
3 of credit history of insured.

4 The General Assembly of the Commonwealth of Pennsylvania  
5 hereby enacts as follows:

6 Section 1. Title 40 of the Pennsylvania Consolidated  
7 Statutes is amended by adding a chapter to read:

8 CHAPTER 47

9 PROHIBITED ACTIVITIES

10 Sec.

11 4701. (Reserved).

12 4702. Use of credit history of insured.

13 § 4701. (Reserved).

14 § 4702. Use of credit history of insured.

15 (a) General rule.--An insurer or insurance producer may not  
16 deny, provide higher premium than otherwise, cancel or refuse to  
17 renew or raise the premium of personal insurance or life  
18 insurance due in whole or in part to an insured's or prospective

1 insured's credit history.

2 (b) Enforcement.--Upon satisfactory evidence of a violation  
3 of this section by an insurer or insurance producer or on  
4 satisfactory evidence of conduct that would disqualify an  
5 insurance producer from initial issuance of a certificate of  
6 qualification under former section 604 or 622 or under Article  
7 VI-A of the act of May 17, 1921 (P.L.789, No.285), known as The  
8 Insurance Department Act of 1921, the department may pursue any  
9 one or more of the following courses of action regardless of  
10 whether the insurer or insurance producer was previously  
11 authorized to utilize credit history by the department:

12 (1) Suspend, revoke or refuse to renew the certificate  
13 of qualification or license of the offending party or  
14 parties.

15 (2) Impose a civil penalty of not more than \$5,000 for  
16 each action in violation of any of the provisions of this  
17 section.

18 (3) Issue an order to cease and desist.

19 (4) Impose other conditions as the department may deem  
20 appropriate.

21 (c) Rules and regulations.--The department may promulgate  
22 rules and regulations necessary to administer this section.

23 (d) Definitions.--As used in this section, the following  
24 words and phrases shall have the meanings given to them in this  
25 subsection unless the context clearly indicates otherwise:

26 "Credit history." A written, oral or other communication of  
27 information by a consumer reporting agency bearing on a  
28 consumer's credit worthiness, credit standing or credit  
29 capacity, which is used, expected to be used or collected in  
30 whole or in part for the purpose of serving as a factor in

1 establishing insurance premiums or eligibility for coverage.

2 "Life insurance." A policy offered in accordance with

3 Article IV of the act of May 17, 1921 (P.L.682, No.284), known

4 as The Insurance Company Law of 1921.

5 "Personal insurance." Property and casualty insurance to be

6 used primarily for personal, family or household purposes,

7 including homeowner and private passenger automobile insurance.

8 Section 2. This act shall take effect in 60 days.