

1 STATE OF OKLAHOMA

2 2nd Session of the 60th Legislature (2026)

3 HOUSE BILL 4286

By: Fugate

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6 AS INTRODUCED

7 An Act relating to insurance; prohibiting insurers
8 from using credit information or credit-based
9 insurance scores; clarifying information not
10 restricted; amending 36 O.S. 2021, Section 3623.1, as
11 amended by Section 4, Chapter 154, O.S.L. 2022 (36
12 O.S. Supp. 2025, Section 3623.1), which relates to
13 policy or membership fees; repealing 36 O.S. 2021,
14 Section 953, which relates to insurers that use
15 credit information; repealing 36 O.S. 2021, Section
16 953.1, which relates to exceptions for insurers that
17 use credit information; providing for codification;
18 and providing an effective date.

19 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

20 SECTION 1. NEW LAW A new section of law to be codified

21 in the Oklahoma Statutes as Section 920 of Title 36, unless there is
22 created a duplication in numbering, reads as follows:

23 A. An insurer shall not use credit information or a credit-
24 based insurance score as any part of a decision to deny, cancel,
nonrenew a personal insurance policy, or to set policy rates.

B. Nothing in this act shall be construed to restrict any
insurer from obtaining or using its own payment history information

1 or information contained in an insurance claims history report or
2 any other non-credit based report.

3 SECTION 2. AMENDATORY 36 O.S. 2021, Section 3623.1, as
4 amended by Section 4, Chapter 154, O.S.L. 2022 (36 O.S. Supp. 2025,
5 Section 3623.1), is amended to read as follows:

6 Section 3623.1. A. Nothing in this Code shall be construed to
7 prevent an insurer from charging and collecting in this state
8 separate initial membership fees, policy fees and any other fees as
9 defined in subsection C of this section in addition to premiums for
10 insurance, and such fees shall not be considered premium within the
11 definition of this Code, but shall be subject to premium tax as
12 provided in this Code. An insurer shall fully disclose all fees to
13 its customers.

14 B. A minimum premium charge is considered premium within the
15 definition of this Code, and shall be subject to premium tax as
16 provided in this Code.

17 C. 1. Fees are defined as a flat amount added to the basic
18 premium rate to reflect the cost of establishing the required
19 records, sending premium notices and other related expenses and
20 include, but are not limited to, the following: Installment fees,
21 service charges, financing fees, membership fees, return check fees,
22 policy fees, motor vehicle record fees, inspection fees, late fees,
23 electronic transfer fees, ~~credit score fees~~ and expense load fees.

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1 2. The fee passed on to the consumer must be the actual expense
2 incurred by the insurance company, insurance agency or insurance
3 producer.

4 D. Minimum premium charge is the smallest acceptable premium
5 for which an insurance company will write a policy. This minimum
6 charge is necessary to cover fixed expenses, other than those
7 expenses defined as fees above, in placing the policy on the books.
8 A minimum premium charge includes, but is not limited to, minimum
9 earned premium and minimum retained premium.

10 E. An insurance producer, limited lines producer, managing
11 general agent, or surplus lines insurance broker cannot charge a
12 duplicate fee or minimum premium charge.

13 SECTION 3. REPEALER 36 O.S. 2021, Section 953, is hereby
14 repealed.

15 SECTION 4. REPEALER 36 O.S. 2021, Section 953.1, is
16 hereby repealed.

17 SECTION 5. This act shall become effective November 1, 2026.

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