

Fiscal Estimate Narratives

OCI 7/4/2017

LRB Number	17-3782/1	Introduction Number	SB-328	Estimate Type	Original
Description discrimination in employment, housing, public accommodations, education, insurance coverage, jury duty, and the receipt of mental health or vocational rehabilitation services on the basis of a person's gender identity, gender expression, or sexual orientation					

Assumptions Used in Arriving at Fiscal Estimate

Under current law, OCI does have the authority to review an insurer's conduct , and to review unfair declinations of coverage. OCI can take action against agents or insurers who misrepresent coverage, unfairly discriminate, or violate Wisconsin's insurance laws.

There are statutes and rules protecting consumers from unfair discrimination in insurance policies.

- Insurers may not refuse to insure you or refuse to renew your policy on the basis of sex. [s. Ins 6.55, Wis. Adm. Code]

- For auto or homeowner's policies, insurers may not refuse coverage to a class of risks solely on the basis of past criminal record, physical disability, past mental disability, age, marital status, sexual preference, "moral" character, or risk location. Insurers may not use these classifications to charge different rates without credible supporting information that must be filed with OCI.

- No insurer may cancel or refuse to issue or renew an automobile insurance policy wholly or partially because of one or more of the following characteristics of any person: age, sex, residence, race, color, creed, religion, national origin, ancestry, marital status, or occupation.

The bill proposes to add additional categories related to gender identity which would be subject to review. The cost to add these additional categories is indeterminate.

Long-Range Fiscal Implications