



2009 SENATE BILL 289

September 16, 2009 - Introduced by Senator CARPENTER, cosponsored by Representatives YOUNG, GRIGSBY, PARISI, BERCEAU, TURNER and RICHARDS. Referred to Committee on Judiciary, Corrections, Insurance, Campaign Finance Reform, and Housing.

1 **AN ACT** *to renumber* 632.365; *to amend* 632.365 (title); and *to create* 632.365
2 (1) (title), 632.365 (2) and 632.365 (3) of the statutes; **relating to:** factors for
3 setting premium rates for motor vehicle insurance.

Analysis by the Legislative Reference Bureau

Current law specifies general criteria on which insurance rates may be based, such as past and prospective loss and expense experience. In addition, current law specifies that, for the purpose of establishing rates, risks may be classified in any reasonable way, except that classifications may not be based on race, color, creed, or national origin and classifications in automobile insurance may not be based on physical condition or developmental disability. Current law also provides that an insurer may not use odometer reading data collected in the course of an inspection as a factor in setting automobile insurance rates.

This bill additionally prohibits an insurer, when setting rates for automobile insurance, from using as a factor the zip code of the residence of an insured. The bill provides that an insurer may use as factors when setting automobile insurance premium rates the driving record of any insured, the length of time that any insured has been driving, and the number of miles that the insured vehicle is driven in a year.

For further information see the *state and local* fiscal estimate, which will be printed as an appendix to this bill.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

