

31A-22-1307 Use of consumer reports by residential dwelling liability insurers.

- (1) An insurer who uses consumer reports in connection with the underwriting of residential dwelling liability insurance shall establish and adhere to written procedures that:
 - (a) identify the circumstances under which the insurer may request and the manner in which it will use consumer reports in its underwriting decisions;
 - (b) provide prior notice of the possible or intended use of a consumer report to an applicant for a residential liability insurance policy; and
 - (c) ensure compliance with the Consumer Credit Reporting Act, 15 U.S.C. Sec. 1681 et seq., including the duties that arise from taking adverse action based on information contained in a consumer report.
- (2) An insurer that requests or uses a consumer report in connection with an application for a residential dwelling liability insurance policy shall maintain evidence of its compliance with the written procedures established by the insurer under Subsection (1).
- (3) An insurer shall submit to the commissioner, upon request, evidence of compliance maintained in accordance with Subsection (2).
- (4) As used in this section, the terms "consumer report" and "adverse action" are defined in 15 U.S.C. Sec. 1681a.

Enacted by Chapter 105, 1997 General Session