

HB 1582-FN - AS INTRODUCED

2026 SESSION

26-3228

05/06

HOUSE BILL ***1582-FN***

AN ACT prohibiting the use of credit information in underwriting and rating personal automobile and homeowners insurance policies and prohibiting certain surveillance practices by insurers.

SPONSORS: Rep. Roy, Rock. 31

COMMITTEE: Commerce and Consumer Affairs

ANALYSIS

This bill prohibits the use of credit information in underwriting and rating personal automobile and homeowners insurance policies. The bill also prohibits the use of drones, satellites, and other surveillance practices by insurers.

Explanation: Matter added to current law appears in ***bold italics***.
Matter removed from current law appears ~~[in brackets and struckthrough.]~~
Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Twenty-Six

AN ACT prohibiting the use of credit information in underwriting and rating personal automobile and homeowners insurance policies and prohibiting certain surveillance practices by insurers.

Be it Enacted by the Senate and House of Representatives in General Court convened:

2 1 Statement of Purpose. The general court finds that the use of credit information in
3 underwriting and rating personal automobile and homeowners insurance policies can result in
4 unfair discrimination against consumers and that certain surveillance practices by insurers infringe
5 on the privacy rights of property owners. The purpose of this act is to prohibit such uses and
6 practices to protect New Hampshire consumers.

7 2 New Section; Use of Credit Information Prohibited. Amend RSA 412 by inserting after section
8 15 the following new section:

9 412:15-a Use of Credit Information Prohibited.

10 I. Notwithstanding any other provision of law, no insurer or insurance producer may use an
11 applicant's or insured's credit history, credit score, or any consumer report or information derived
12 from a consumer report as a factor in underwriting, rating, renewing, cancelling, or declining to
13 issue a policy of personal automobile insurance or homeowners insurance.

14 II. For the purposes of this section:

15 (a) "Consumer report" shall have the same meaning as in RSA 359-B:3, IV.

16 (b) "Credit history" or "credit score" means any written, oral, or other communication of
17 any information by a consumer reporting agency bearing on a consumer's creditworthiness, credit
18 standing, or credit capacity that is used or expected to be used or collected in whole or in part for the
19 purpose of serving as a factor in establishing the consumer's eligibility for insurance.

20 III. Any violation of this section shall be deemed an unfair method of competition and an
21 unfair and deceptive act or practice in the business of insurance under RSA 417:4.

22 3 Unfair Insurance Trade Practices. Amend RSA 417:4, VIII(g) to read as follows:

23 (g) ~~[Charging a higher premium for private passenger automobile or homeowner~~
24 ~~insurance solely on the basis of information obtained from a credit rating, a credit history, or a credit~~
25 ~~scoring model.] **Using an applicant's or insured's credit history, credit score, or any**~~
26 ~~consumer report or information derived from a consumer report as a factor in~~
27 ~~underwriting, rating, renewing, cancelling, or declining to issue a policy of personal~~
28 ~~automobile insurance or homeowners insurance.~~

HB 1582-FN - AS INTRODUCED

- Page 2 -

29 4 New Sections; Unfair Insurance Trade Practices; Surveillance by Drones, Satellites, and
30 Commercial Imagery Prohibited. Amend RSA 417 by inserting after section 4 the following new
31 section:

32 417:4-a Use of Drone Surveillance Prohibited.

33 I. No insurer or insurance producer shall use any unmanned aerial vehicle or drone to
34 conduct surveillance, inspection, or observation of private property for the purpose of underwriting,
35 rating, renewing, cancelling, or declining to issue a policy of homeowners insurance without the
36 express written permission of the property owner.

37 II. An insurer or insurance producer shall not coerce, induce, or condition the issuance,
38 renewal, or continuation of a homeowners insurance policy, or the setting of rates, on the property
39 owner's granting of permission for drone surveillance. Such coercion includes, but is not limited to,
40 threatening to decline coverage, cancel an existing policy, or increase premiums if permission is not
41 granted.

42 III. Any permission granted under paragraph I shall be voluntary, revocable at any time,
43 and limited to the specific purpose and duration stated in the written agreement.

44 IV. Any violation of this section shall be deemed an unfair method of competition and an
45 unfair and deceptive act or practice in the business of insurance under RSA 417:4.

46 417:4-b Use of Satellite or Commercial Imagery Prohibited.

47 I. No insurer or insurance producer shall use any satellite imagery, aerial photography, or
48 other commercial observation or surveillance products, including but not limited to Google Earth or
49 similar services, as a basis to increase premiums, cancel, or decline to renew a policy of homeowners
50 insurance.

51 II. This section shall not prohibit the use of such imagery or products for general risk
52 assessment purposes that do not target specific properties or result in adverse actions against
53 individual policyholders.

54 III. Any violation of this section shall be deemed an unfair method of competition and an
55 unfair and deceptive act or practice in the business of insurance under RSA 417:4.

56 5 Repeal. RSA 412:15, III, relative to the use of credit reports, credit histories, and credit
57 scoring models for purposes of underwriting and rate setting for automobile and homeowner
58 insurance policies, is repealed.

59 6 Effective Date. This act shall take effect 180 days after its passage.

**HB 1582-FN- FISCAL NOTE
AS INTRODUCED**

AN ACT prohibiting the use of credit information in underwriting and rating personal automobile and homeowners insurance policies and prohibiting certain surveillance practices by insurers.

FISCAL IMPACT: This bill does not provide funding, nor does it authorize new positions.

Estimated State Impact				
	FY 2026	FY 2027	FY 2028	FY 2029
Revenue	\$0	Indeterminable Increase	Indeterminable Increase	Indeterminable Increase
<i>Revenue Fund(s)</i>	General Fund			
Expenditures*	\$0	Indeterminable (Range not provided by agency)	Indeterminable (Range not provided by agency)	Indeterminable (Range not provided by agency)
<i>Funding Source(s)</i>	NHID Assessment Fund			
Appropriations*	\$0	\$0	\$0	\$0
<i>Funding Source(s)</i>	None			

*Expenditure = Cost of bill

*Appropriation = Authorized funding to cover cost of bill

METHODOLOGY:

This bill prohibits insurers from using an applicant’s or insured’s credit history, credit score, or any consumer report as a factor in underwriting, rating, renewing, canceling, or declining to issue a personal automobile or homeowners insurance policy. The bill also prohibits insurers from using drones, satellites, or aerial imagery for the purpose of underwriting, rating, or renewing homeowners insurance policies without the property owner’s express written permission.

The Insurance Department states nearly all insurers currently use credit information when underwriting and pricing personal insurance policies, and most homeowners insurers rely on aerial or satellite imagery as part of their underwriting and pricing processes. Because the bill prohibits both practices, insurers would need to make significant changes to their inspection, underwriting, and pricing procedures. Depending on how carriers respond, the Department anticipates it may need to conduct extensive regulatory oversight, including reviewing new underwriting and rating methodologies and opening investigations or market conduct examinations if carriers continue to use prohibited practices.

The Department states this increased oversight workload could require additional staffing, but the impact cannot be estimated at this time because it depends on industry response. The Department notes that the prohibitions in the bill would be unique among states, and carriers may have legitimate difficulty meeting the requirements.

Additionally, there could be an indeterminable increase in Insurance Premium Tax (IPT) revenue. Premiums for auto and homeowners insurance may increase because insurers would no longer be able to use credit information or certain property-inspection tools for underwriting and rating. Any premium increases would proportionally increase IPT revenue, which is deposited into the General Fund.

AGENCIES CONTACTED:

Insurance Department