



# OFFICE OF THE SECRETARY OF STATE

## NEWS RELEASE

**BILL BRADBURY**

**For Immediate Release:**  
January 13, 2005

**Contact:** Carla Corbin  
Elections Division  
(503) 986-1518

The Office of the Secretary of State received a draft ballot title from the Attorney General on January 12, 2005, for initiative petition #23, proposing a statutory amendment, for the General Election of November 7, 2006.

The draft ballot title is as follows:

**PROHIBITS INSURANCE COMPANIES FROM USING CREDIT SCORE OR  
"CREDIT WORTHINESS" IN CALCULATING RATES OR PREMIUMS**

**RESULT OF "YES" VOTE:** "Yes" vote prohibits insurance companies and their agents from using the credit score or "credit worthiness" of insured or applicant in calculating rates or premiums.

**RESULT OF "NO" VOTE:** "No" vote retains existing law, which restricts, but does not prohibit, the use of credit scores or "credit worthiness" in calculating insurance rates or premiums.

**SUMMARY:** Current state law requires certain disclosures before a consumer's credit history may be obtained by an insurance company or agent and provides certain restrictions on the use of a consumer's credit history in determining insurance rates. This measure prohibits insurance companies and agents that sell or market medical, health, accident, automobile, fire, or liability insurance, or any combination of policies providing such coverage to consumers from quoting, offering, or charging, directly or indirectly, rates or premiums based solely or in part upon the credit score or "credit worthiness" of an insured or an applicant for insurance. This measure does not apply to policies already in effect, but it shall apply to all policies commenced, changed, amended, or renewed after the measure's effective date. Other provisions.

Chief Petitioner(s): Bill Sizemore, PO Box 343, Beavercreek, OR 97004 and Grace I. Sizemore, PO Box 66921, Portland, OR 97290.

Copies of the text of this initiative are available at Room 141, State Capitol for \$.25. Written requests for copies with your remittance of \$1.00 prepaid, should be addressed to: Elections Division, Room 141 State Capitol, Salem, OR 97310-0722.

There now follows an appeal period of 10 business days during which any member of the public may submit written comments which address the specific legal standards a ballot title must meet to the Secretary of State's office. This period ends January 27, 2005. Comments must be addressed to: Elections Division, Room 141 State Capitol, Salem, OR 97310-0722; fax (503) 373-7414.

The Secretary of State will deliver all written comments to the Attorney General. If comments are received, the Attorney General shall issue the certified ballot title not later than the 10<sup>th</sup> business day after receiving the comments from the Secretary of State. If no comments are received, the Attorney General shall issue the certified ballot title not later than the fifth business day after the deadline for submitting comments.

In addition, during this ballot title comment period, the Secretary of State will also seek statements from interested persons regarding whether or not a proposed initiative petition complies with procedural constitutional requirements for submission of proposed initiative petitions. The Secretary will consider the information provided in the statements received from interested persons. If you wish to comment, this period ends January 27, 2005. Comments must be addressed to: Elections Division, Room 141 State Capitol, Salem, OR 97310-0722; fax (503) 373-7414.

Any elector who is dissatisfied with the ballot title certified by the Attorney General, and who timely submitted written comments which addressed the specific legal standards a ballot title must meet, may petition the Oregon Supreme Court seeking a different title. This appeal must be filed not later than the 10<sup>th</sup> business day after the Attorney General certifies a ballot title to the Secretary of State.

The required number of signatures for placement on the 2006 general election ballot is 75,630. These signatures must be filed in this office not later than July 7, 2006.



**DEPARTMENT OF JUSTICE**  
APPELLATE DIVISION

January 12, 2005

John Lindback  
Director, Elections Division  
Office of the Secretary of State  
141 State Capitol  
Salem, OR 97310

Re: Proposed Initiative Petition — Prohibits Insurance Companies From Using Credit Score  
Or “Credit Worthiness” In Calculating Rates Or Premiums  
DOJ File #BT-23-05; Elections Division #23

Dear Mr. Lindback:

We have prepared and hereby provide to you a draft ballot title for the above-referenced prospective initiative petition. The proposed measure relates to prohibiting insurance companies from using credit score or “credit worthiness” in calculating rates or premiums.

Written comments from the public are due to you within ten business days after your receipt of this draft title. A copy of all written comments provided to you should be forwarded to this office immediately thereafter.

A copy of the draft ballot title is enclosed.

Sincerely,

Misty Kintz  
Legal Secretary

SJG:mlk/APP75322

Enclosure

c: Peter Shepherd, Deputy Attorney General  
Don Arnold, General Counsel Division  
Steve Wolf, General Counsel Division

Bill Sizemore  
P.O. Box 343  
Beavercreek, Oregon 97004

Grace I. Sizemore  
P.O. Box 66921  
Portland, Oregon 97290

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SECRETARY OF THE STATE

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**DRAFT BALLOT TITLE**

**PROHIBITS INSURANCE COMPANIES FROM USING CREDIT SCORE  
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PREMIUMS**

**RESULT OF “YES” VOTE:** “Yes” vote prohibits insurance companies and their agents from using the credit score or “credit worthiness” of insured or applicant in calculating rates or premiums.

**RESULT OF “NO” VOTE:** “No” vote retains existing law, which restricts, but does not prohibit, the use of credit scores or “credit worthiness” in calculating insurance rates or premiums.

**SUMMARY:** Current state law requires certain disclosures before a consumer’s credit history may be obtained by an insurance company or agent and provides certain restrictions on the use of a consumer’s credit history in determining insurance rates. This measure prohibits insurance companies and agents that sell or market medical, health, accident, automobile, fire, or liability insurance, or any combination of policies providing such coverage to consumers from quoting, offering, or charging, directly or indirectly, rates or premiums based solely or in part upon the credit score or “credit worthiness” of an insured or an applicant for insurance. This measure does not apply to policies already in effect, but it shall apply to all policies commenced, changed, amended, or renewed after the measure’s effective date. Other provisions.

SECRETARY OF THE STATE  
BELLINGHAM

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