

Enrolled
Senate Bill 332

Printed pursuant to Senate Interim Rule 213.28 by order of the President of the Senate in conformance with pre-session filing rules, indicating neither advocacy nor opposition on the part of the President (at the request of Senate Interim Committee on Business and Transportation)

CHAPTER

AN ACT

Relating to rebates permitted for certain insurance policies; amending ORS 746.045.

Be It Enacted by the People of the State of Oregon:

SECTION 1. ORS 746.045 is amended to read:

746.045. (1) *[No person shall]* **A person may not** personally or otherwise offer, promise, allow, give, set off, pay or receive, directly or indirectly, any rebate of or rebate of part of the premium payable on an insurance policy or the insurance producer's commission *[thereon]* **on an insurance policy**, or earnings, profit, dividends or other benefit founded, arising, accruing or to accrue on or from the policy, or any other valuable consideration or inducement to or for insurance on any domestic risk, which is not specified in the policy.

(2) A premium discount or rebate is not prohibited by this section if the discount or rebate is:

(a) Offered in connection with a program of health promotion or disease prevention, as described in 42 U.S.C. 300gg-4;

(b) Paid for participation in a program to promote healthy behaviors under ORS 743.824; or

(c) Offered in connection with a wellness program defined by the Department of Consumer and Business Services by rule.

(3) **This section does not prohibit giving, as a form of advertising, as a promotional program or as promotional material, a prize, goods, wares, merchandise, articles or property with an aggregate value of not more than \$100 in a calendar year to a person other than a person to whom an insurer issues health insurance, as defined in ORS 731.162, or a health benefit plan, as defined in ORS 743B.005.**

Passed by Senate March 29, 2017

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Lori L. Brocker, Secretary of Senate

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Peter Courtney, President of Senate

Passed by House June 1, 2017

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Tina Kotek, Speaker of House

Received by Governor:

.....M,....., 2017

Approved:

.....M,....., 2017

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Kate Brown, Governor

Filed in Office of Secretary of State:

.....M,....., 2017

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Dennis Richardson, Secretary of State