

**SENATE BILL NO. 2235**

Introduced by

Senators O'Connell, Schaible

Representatives Maragos, Wall, Hunskor

1 A BILL for an Act to create and enact a new section to chapter 26.1-40 of the North Dakota  
2 Century Code, relating to consideration of gender in rate setting for automobile insurance; and  
3 to amend and reenact subsection 4 of section 26.1-40-11 of the North Dakota Century Code,  
4 relating to automobile insurance prohibitions.

5 **BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

6 **SECTION 1. AMENDMENT.** Subsection 4 of section 26.1-40-11 of the North Dakota  
7 Century Code is amended and reenacted as follows:

8 4. Based solely upon the age, sex, or marital status of an applicant or an insured, except  
9 that this subsection does not prohibit rating differentials based upon age, ~~sex~~, or  
10 marital status.

11 **SECTION 2.** A new section to chapter 26.1-40 of the North Dakota Century Code is created  
12 and enacted as follows:

13 **Rate setting prohibition.**

14 An insurer or insurance producer may not base policy rating differentials on gender.