

**A-Engrossed**  
**Senate Bill 332**

Ordered by the Senate March 27  
Including Senate Amendments dated March 27

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)

**SUMMARY**

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure.

*[Permits insurer to offer certain rebates]* **Provides that prohibition against person offering rebate of premium does not prohibit giving, as form of advertising, as promotional program or as promotional material, prize, goods, wares, merchandise, articles or property with aggregate value that does not exceed \$100 in calendar year to insureds other than persons for whom insurer issues health insurance or health benefit plan.**

**A BILL FOR AN ACT**

1  
2 Relating to rebates permitted for certain insurance policies; amending ORS 746.045.

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

4 **SECTION 1.** ORS 746.045 is amended to read:

5 746.045. (1) *[No person shall]* **A person may not** personally or otherwise offer, promise, allow,  
6 give, set off, pay or receive, directly or indirectly, any rebate of or rebate of part of the premium  
7 payable on an insurance policy or the insurance producer's commission *[thereon]* **on an insurance**  
8 **policy**, or earnings, profit, dividends or other benefit founded, arising, accruing or to accrue on or  
9 from the policy, or any other valuable consideration or inducement to or for insurance on any do-  
10 mestic risk, which is not specified in the policy.

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

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

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

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

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

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**NOTE:** Matter in **boldfaced** type in an amended section is new; matter *[italic and bracketed]* is existing law to be omitted.  
New sections are in **boldfaced** type.