

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2025

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HOUSE PRINCIPAL CLERK

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HOUSE BILL DRH30191-MU-1

Short Title: Fair Access to Financial Services.

(Public)

Sponsors: Representative Scott.

Referred to:

1 A BILL TO BE ENTITLED
2 AN ACT TO PROTECT CONSUMERS THROUGH FAIR ACCESS TO FINANCIAL
3 SERVICES.

4 The General Assembly of North Carolina enacts:

5 SECTION 1. Article 6 of Chapter 53C of the General Statutes is amended by adding
6 a new section to read:

7 "**§ 53C-6-21. Discrimination prohibited.**

8 (a) Unlawful Factors. – It is unlawful for a bank to deny or cancel its services to a person,
9 or to otherwise discriminate against a person in providing its services, on the basis of any of the
10 following factors:

11 (1) The person's political opinions, speech, or affiliations.

12 (2) The person's religious beliefs, religious exercise, or religious affiliations,
13 unless the bank claims a religious purpose.

14 (3) Any factor if it is not a quantitative, impartial, and risk-based standard,
15 including any factor related to the person's business.

16 (4) The use of any rating, scoring, analysis, tabulation, or action that considers a
17 social credit score based on any of the following:

18 a. The person's lawful ownership of a firearm.

19 b. The person's engagement in the lawful manufacture, distribution, sale,
20 purchase, or use of firearms or ammunition.

21 c. The person's engagement in the exploration, production, utilization,
22 transportation, sale, or manufacture of fossil fuel-based energy,
23 timber, mining, or agriculture.

24 d. The person's support of the State or federal government in combating
25 illegal immigration, drug trafficking, or human trafficking.

26 e. The person's failure or expected failure to meet any of the following
27 so long as the person is in compliance with State and federal law:

28 1. Environmental standards, including emissions standards,
29 benchmarks, requirements, or disclosures.

30 2. Social governance standards, benchmarks, or requirements,
31 including environmental or social justice.

32 3. Corporate board or company employment composition
33 standards, benchmarks, requirements, or disclosures based on
34 personal characteristics protected by law.



1 4. Policies or procedures requiring or encouraging employee
 2 participation in social justice programming, including
 3 diversity, equity, or inclusion training.

4 (5) The person's engagement with, facilitation of, employment by, support of,
 5 business relationship with, representation of, or advocacy for any person
 6 described in this subsection.

7 (b) Subjective Standards. – A bank may offer a service to a person based on subjective
 8 standards only if the standards are fully disclosed and explained to the person before entering
 9 into a contract for the service. The bank shall obtain a signature from the person attesting that the
 10 bank has disclosed and explained the subjective standards being used by the bank.

11 (c) Annual Report. – By January 1 of each year, a bank shall attest, under penalty of
 12 perjury, on a form prescribed by the Commissioner whether the bank is in compliance with this
 13 section.

14 (d) Private Right of Action. – A person aggrieved by a violation of this section may bring
 15 an action for damages or injunctive relief. A violation of this section is an unfair or deceptive
 16 trade practice under G.S. 75-1.1."

17 **SECTION 2.** G.S. 54B-78 reads as rewritten:

18 **"§ 54B-78. Prohibited practices.**

19 (a) ~~Any~~ A person or association who shall engage that engages in any either of the
 20 following acts or practices ~~shall be~~ is guilty of a Class 1 misdemeanor:

21 (1) Defamation: Making, publishing, disseminating, or circulating, directly or
 22 indirectly, or aiding, abetting, or encouraging the making, publishing,
 23 disseminating, or circulating ~~of of,~~ any oral, written, or printed statement
 24 ~~which that~~ is false regarding the financial condition of any association.

25 (2) False information and advertising: Making, publishing, disseminating, or
 26 circulating or causing, directly or indirectly, to be made published,
 27 disseminated, circulated, or otherwise placed before the public in any
 28 publication, media, notice, pamphlet, letter, poster, or any other way, an
 29 advertisement, announcement, or statement containing any assertion,
 30 representation, or statement with respect to the savings and loan business or
 31 with respect to any person in the conduct of the savings and loan business
 32 ~~which that~~ is untrue, deceptive, or misleading.

33 (b) The provisions of G.S. 53C-6-21 apply to a State association."

34 **SECTION 3.** G.S. 54C-64 reads as rewritten:

35 **"§ 54C-64. Prohibited practices.**

36 (a) A person ~~who that~~ engages in any either of the following acts or practices is guilty of
 37 a Class 1 misdemeanor:

38 (1) Defamation: Making, publishing, disseminating, or circulating, directly or
 39 indirectly, or aiding, abetting, or encouraging the making, publishing,
 40 disseminating, or circulating ~~of of,~~ any oral, written, or printed statement that
 41 is false regarding the financial condition of any savings bank.

42 (2) False information and advertising: Making, publishing, disseminating,
 43 circulating, or otherwise placing before the public in any publication, media,
 44 notice, pamphlet, letter, poster, or any other way, an advertisement,
 45 announcement, or statement containing any assertion, representation, or
 46 statement with respect to the savings bank business or with respect to any
 47 person in the conduct of the savings bank business that is untrue, deceptive,
 48 or misleading.

49 (3) Repealed by Session Laws 1997-241, s. 2.

50 (b) The provisions of G.S. 53C-6-21 apply to a State savings bank."

1 **SECTION 4.** Article 14C of Chapter 54 of the General Statutes is amended by adding
2 a new section to read:

3 **"§ 54-109.23. Discrimination prohibited.**

4 The provisions of G.S. 53C-6-21 apply to a credit union. A credit union shall submit the
5 annual report described in G.S. 53C-6-21(b) to the Administrator."

6 **SECTION 5.** G.S. 58-63-15 reads as rewritten:

7 **"§ 58-63-15. Unfair methods of competition and unfair or deceptive acts or practices**
8 **defined.**

9 The following are ~~hereby defined as~~ unfair methods of competition and unfair and deceptive
10 acts or practices in the business of insurance:

- 11 ...
12 (7) Unfair Discrimination. –

13 ...
14 e. Refusing to insure or charging a different rate solely in consideration
15 of the risks relating to environmental, social, and governance criteria,
16 as defined in G.S. 143-162.6; diversity, equity, or inclusion policies;
17 or political and ideological factors, unless the refusal or different rate
18 is the result of the application of sound underwriting and actuarial
19 principles related to actual or reasonably anticipated loss experience.

20 "

21 **SECTION 6.** This act is effective when it becomes law and applies to acts committed
22 on or after that date.