S T A T E O F N E W Y O R K

6364--A

Cal. No. 420

I N S E N A T E

January 21, 2014

Introduced by Sens. DIAZ, AVELLA, DILAN, GIANARIS, KLEIN, KRUEGER, LATIMER, MONTGOMERY, PARKER, SAMPSON -- read twice and ordered printed, and when printed to be committed to the Committee on Finance -- reported favorably from said committee, ordered to first and second report, ordered to a third reading, passed by Senate and delivered to the Assembly, recalled, vote reconsidered, restored to third reading, amended and ordered reprinted, retaining its place in the order of third reading

AN ACT to amend the executive law, in relation to accurate reporting of crime statistics; and to amend the insurance law, in relation to excluding certain crime statistics from consideration when making rates of insurance

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

Section 1. The executive law is amended by adding a new section 837-s to read as follows:

S 837-S. REPORTING OF CRIME STATISTICS. WHEN REPORTING ON CRIME STATISTICS AND OTHER DATA COLLECTED AND ANALYZED PURSUANT TO PARAGRAPH (C) OF SUBDIVISION FOUR OF SECTION EIGHT HUNDRED THIRTY-SEVEN OF THIS ARTICLE, THE DIVISION SHALL SEPARATELY REPORT THE ACTIVITY THAT TAKES PLACE IN ANY FEDERAL, STATE OR LOCAL CORRECTIONAL FACILITY, DETENTION FACILITY, TRANSPORTATION FACILITY OR OTHER FACILITY LOCATED WITHIN THE GEOGRAPHIC BOUNDARIES OF A POLICE DEPARTMENT AS DEFINED IN SECTION EIGHT HUNDRED THIRTY-SEVEN-C OF THIS ARTICLE BUT WHICH IS UNDER THE JURISDICTION OF ANOTHER LAW ENFORCEMENT AGENCY.

S 2. Subsection (b) of section 2304 of the insurance law is amended to read as follows:

(b) The information furnished in support of a filing may include:

(1) the experience or judgment of the insurer or rate service organization making the rate;

(2) its interpretation of any statistical data it relies upon, EXCEPT THAT NO INSURER OR RATE SERVICE ORGANIZATION SHALL INCLUDE DATA FROM FACILITIES LISTED IN SECTION EIGHT HUNDRED THIRTY-SEVEN-S OF THE EXECUTIVE LAW;

EXPLANATION--Matter in ITALICS (underscored) is new; matter in brackets [ ] is old law to be omitted.

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(3) the experience of other insurers or rate service organizations; or
(4) any other relevant factors.

S 3. This act shall take effect immediately, provided, however that section two of this act shall take effect on the one hundred eightieth day after it shall have become a law and shall apply to policies issued or renewed on or after such effective date.