

STATE OF NEW YORK

136

2023-2024 Regular Sessions

IN ASSEMBLY

(Prefiled)

January 4, 2023

Introduced by M. of A. CRUZ, STERN, BURDICK, SIMON, DARLING, McDONOUGH, SILLITTI -- read once and referred to the Committee on Insurance

AN ACT to amend the insurance law, in relation to homeowner natural disaster preparedness, home safety and loss prevention courses

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

1 Section 1. Subparagraphs 3 and 4 of paragraph (a) and paragraph (d) of
2 subsection 5 of section 2346 of the insurance law, as added by section 2
3 of part BB of chapter 54 of the laws of 2016, are amended and a new
4 paragraph (e) is added to read as follows:

5 (3) "Homeowner natural disaster preparedness, home safety and loss
6 prevention course" means a natural disaster preparedness, home safety
7 and loss prevention course that has been submitted to the superintendent
8 for [~~their information and review~~] approval by an applicant, and which
9 has been approved by the superintendent, pursuant to paragraph (d) of
10 this subsection. Such course [~~may~~] shall provide useful information to
11 participants on items including, but not limited to: courses of action
12 that can be taken before, during and after the occurrence of a natural
13 disaster, strategies to reduce risk exposure to insured residential
14 property owners and renters, and information about the installation of
15 equipment, devices or other capital improvements to real property which
16 can help to eliminate or mitigate damage to real or personal property,
17 personal injury or the loss of life caused by a natural disaster or
18 other insurable event or occurrence of a fire, theft, burglary, personal
19 injury or property damage.

20 (4) "Applicant" means an insurer, or any other person, agency or
21 organization which submits a proposed homeowner natural disaster
22 preparedness, home safety and loss prevention course to the superinten-
23 dent for [~~their information and review~~] approval pursuant to paragraph

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

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1 (d) of this subsection, and who or which is prepared and able to offer
2 such course to insureds upon the approval thereof.

3 (d) The superintendent may establish, by rule or otherwise, standards
4 or guidelines to be used by the superintendent when reviewing the
5 proposed homeowner natural disaster preparedness, home safety and loss
6 prevention courses. Every such course submitted by an applicant to the
7 superintendent for approval must be reviewed and shall be subject to
8 approval by the superintendent.

9 (e) The department shall issue a request for proposal for the homeown-
10 er natural disaster preparedness, home safety and loss prevention cours-
11 es described pursuant to this subsection. On or before March first, two
12 thousand twenty-four, the department shall submit a request for state
13 funding in order to effectuate the provisions of this subsection;
14 provided, however, that no expenditure shall be made until the super-
15 intendent has approved a program and fiscal plan for homeowner natural
16 disaster preparedness, home safety and loss prevention courses. Such
17 plan shall include, but not be limited to, the following: (1) specific
18 criteria to be applied in evaluating the requests for proposal; and (2)
19 uniform course and cost standards.

20 § 2. This act shall take effect on the first of January next succeed-
21 ing the date on which it shall have become a law. Effective immediate-
22 ly, the addition, amendment and/or repeal of any rule or regulation
23 necessary for the implementation of this act on its effective date are
24 authorized to be made and completed on or before such effective date.