# STATE OF NEW YORK

1273

2025-2026 Regular Sessions

# IN ASSEMBLY

January 9, 2025

Introduced by M. of A. PEOPLES-STOKES, STECK, MAMDANI, SIMON, PAULIN, KELLES, HYNDMAN, ALVAREZ, LUNSFORD, ANDERSON, SEAWRIGHT -- read once and referred to the Committee on Insurance

AN ACT to amend the insurance law, in relation to prohibiting motor vehicle insurers from discriminating based on socioeconomic factors

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

Section 1. The insurance law is amended by adding a new section 2619 to read as follows:

**§ 2619. Rating factors prohibited. (a) Any insurer or insurance company group doing business in the state as a motor vehicle insurer may not use classification plans, rules or rates, rating plans or modifications of any of the foregoing, based in whole or in part on the factors specified in this section. Any classification plans, rules or rates, rating plans or modifications issued by said insurer or insurance company group using the following factors in whole or in part shall be deemed to violate public policy and are subject to disapproval by the superintendent:**

**(1) age;**

**(2) marital status;**

**(3) sex;**

**(4) sexual orientation;**

**(5) educational background or education level attained;**

**(6) employment status or occupation;**

**(7) income level;**

**(8) consumer credit information or score;**

**(9) ownership or interest in real property;**

**(10) any indication of a consumer's price elasticity of demand; and**

**(11) any other characteristic indicating or tending to indicate the socioeconomic status of an individual.**

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

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**(b) It shall further be unlawful to consider the factors specified in subsection (a) of this section to:**

**(1) adjust any algorithm or equation used to construct actuarial tables or otherwise determine the cost of coverage;**

**(2) make any distinction or discrimination between persons as to the premiums or rates charged for motor vehicle insurance policies or the terms of coverage or in any other manner whatsoever;**

**(3) demand or require a greater premium from any person than such insurer requires at that time from other individuals or entities in similar cases; or**

**(4) refuse to issue, renew, or sell a policy after appropriate application therefor.**

**(c) For the purposes of this section:**

**(1) "sex" shall include gender identity or expression; and**

**(2) "gender identity or expression" shall have the same meaning as defined in section two hundred ninety-two of the executive law.**

§ 2. This act shall take effect immediately.