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

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I N A S S E M B L Y

April 23, 2010

Introduced by M. of A. ENGLEBRIGHT, MARKEY, FINCH, COLTON -- Multi-Sponsored by -- M. of A. FIELDS, McDONOUGH, MILLMAN, MOLINARO, SAYWARD, SCHIMEL -- read once and referred to the Committee on Insurance

AN ACT to amend the insurance law, in relation to directing the superintendent of insurance to establish a separate classification for liability insurance for businesses engaged in the installation of wind or solar electric generating systems

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 2346-b to read as follows:

S 2346-B. REDUCTION IN RATES OF LIABILITY INSURANCE FOR INSTALLERS OF WIND OR SOLAR ELECTRIC GENERATING SYSTEMS. (A) FOR THE PURPOSES OF THIS SECTION:

(1) "SOLAR ELECTRIC GENERATING SYSTEM" MEANS A PHOTOVOLTAIC SYSTEM THAT IS MANUFACTURED, INSTALLED AND OPERATED IN ACCORDANCE WITH APPLICABLE GOVERNMENT AND INDUSTRY STANDARDS, AND THAT IS CONNECTED TO THE ELECTRIC SYSTEM AND OPERATED IN CONJUNCTION WITH AN ELECTRIC CORPORATION'S TRANSMISSION AND DISTRIBUTION FACILITIES.

(2) "WIND ELECTRIC GENERATING SYSTEM" MEANS ONE OR MORE WIND GENERATORS THAT ARE MANUFACTURED, INSTALLED AND OPERATED IN ACCORDANCE WITH APPLICABLE GOVERNMENT AND INDUSTRY STANDARDS, AND THAT ARE CONNECTED TO THE ELECTRIC SYSTEM AND OPERATED IN PARALLEL WITH AN ELECTRIC CORPORATION'S TRANSMISSION AND DISTRIBUTION FACILITIES.

(B) THE SUPERINTENDENT SHALL ESTABLISH A SEPARATE CLASSIFICATION FOR THE DETERMINATION OF RATES AND PREMIUMS FOR LIABILITY, MOTOR VEHICLE AND WORKERS' COMPENSATION PROVIDED TO ANY PERSON OR ENTITY ENGAGED IN THE BUSINESS OF INSTALLING SOLAR AND/OR WIND ELECTRIC GENERATING SYSTEMS.

(C) THE SUPERINTENDENT SHALL PROVIDE FOR A REDUCTION IN THE RATES OF LIABILITY, MOTOR VEHICLE AND WORKERS' COMPENSATION INSURANCE PREMIUMS APPLICABLE TO SOLAR AND/OR WIND ELECTRICITY GENERATING SYSTEM INSTALLERS, WHEN SUCH INSTALLERS HAVE FILED NO OR MINIMAL INSURANCE CLAIMS, AND ADHERE TO SOUND JOBSITE SAFETY PRACTICES. THE REDUCTIONS PROVIDED

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

LBD15398-01-0

FOR SHALL BE PROPORTIONALLY RELATED TO THE ACTUARIALLY CALCULABLE DECREASE IN LOSSES IN THE AFOREMENTIONED CIRCUMSTANCES.

S 2. This act shall take effect on the first of January next succeeding the date on which it shall have become a law, and shall apply to all policies issued, renewed, modified, altered or amended on or after such date.