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

1106

2009-2010 Regular Sessions

I N S E N A T E

January 26, 2009

Introduced by Sens. DILAN, ADAMS, DIAZ, HASSELL-THOMPSON, MONTGOMERY, THOMPSON -- read twice and ordered printed, and when printed to be committed to the Committee on Insurance

AN ACT to amend the insurance law, in relation to prohibiting insurance rate variations of more than ten percent between counties within the city of New York for non-business private passenger automobiles

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

Section 1. Subsection (a) of section 2307 of the insurance law is amended to read as follows:

(a) (1) No insurer or rate service organization shall use a rating classification or territory unless it has been filed with the superintendent and either he OR SHE has approved it, or ninety days have elapsed and he OR SHE has not disapproved it as unfairly discriminatory or violative of public policy.

(2) NOTWITHSTANDING ANY OTHER PROVISION OF LAW, WITH RESPECT TO NON-BUSINESS PRIVATE PASSENGER AUTOMOBILE INSURANCE POLICIES, NO INSURER OR RATE SERVICE ORGANIZATION SHALL USE, APPLY FOR OR FILE WITH THE SUPERINTENDENT FOR APPROVAL ANY RATES THAT APPLY TO RATING TERRITORIES WITHIN THE CITY OF NEW YORK THAT PROVIDE FOR RATE VARIATIONS BETWEEN ANY COUNTY WITHIN THE CITY OF NEW YORK OF MORE THAN TEN PERCENT.

S 2. This act shall take effect immediately and shall apply to all policies of insurance altered, amended, issued or renewed on or after such effective date.

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

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