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

1769

2009-2010 Regular Sessions

I N A S S E M B L Y

January 12, 2009

Introduced by M. of A. MORELLE, SWEENEY, GOTTFRIED, COLTON, PERALTA, LUPARDO, SCHROEDER -- Multi-Sponsored by -- M. of A. ALFANO, BOYLAND, GUNTHER, MAGNARELLI, McENENY, PHEFFER, TOWNS, WEINSTEIN -- read once and referred to the Committee on Insurance

AN ACT to amend the insurance law, in relation to prohibiting discrimination based upon genetic characteristics

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 2616 to read as follows:

S 2616. ELIGIBILITY FOR LIFE AND DISABILITY INSURANCE BASED UPON GENETIC TESTING. (A) NO POLICY OF LIFE OR DISABILITY INSURANCE, OR GROUP LIFE OR DISABILITY INSURANCE OR RENEWALS THEREOF, SHALL BE DENIED OR CANCELED BY THE INSURER, OR THE TERMS AND CONDITIONS OF SUCH POLICY ALTERED BY THE INSURER, SOLELY ON THE BASIS OF ANY GENETIC TESTING PERFORMED ON THE INSURED OR APPLICANT, OR A FAMILY MEMBER OF THE INSURED OR APPLICANT.

(B) FOR THE PURPOSES OF THIS SECTION, "GENETIC TESTING" SHALL HAVE THE SAME MEANING AS DEFINED IN SECTION SEVENTY-NINE-L OF THE CIVIL RIGHTS LAW.

S 2. This act shall take effect immediately.

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

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