

6275

2009-2010 Regular Sessions

I N A S S E M B L Y

February 27, 2009

Introduced by M. of A. COOK, GREENE, PEOPLES -- Multi-Sponsored by -- M.
of A. BARCLAY, CANESTRARI, GOTTFRIED, PHEFFER, TOWNS, WEINSTEIN --
read once and referred to the Committee on Insurance

AN ACT to amend the insurance law, in relation to the collateral estop-
pel effect of issues decided by certain arbitrators

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

- 1 Section 1. Section 5106 of the insurance law is amended by adding a
2 new subsection (e) to read as follows:
3 (E) WITH RESPECT TO AN ACTION FOR SERIOUS PERSONAL INJURY PERMISSIBLE
4 UNDER SECTION FIVE THOUSAND ONE HUNDRED FOUR OF THIS ARTICLE, THE AWARD
5 OR DECISION OF AN ARBITRATOR OR MASTER ARBITRATOR RENDERED PURSUANT TO
6 SUBSECTION (C) OF THIS SECTION SHALL NOT CONSTITUTE A COLLATERAL ESTO-
7 PPEL OF THE ISSUES ARBITRATED.
8 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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