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

5113

2011-2012 Regular Sessions

I N A S S E M B L Y

February 11, 2011

Introduced by M. of A. OAKS, HAWLEY, KOLB, MONTESANO, TOBACCO -- Multi-Sponsored by -- M. of A. BURLING, CALHOUN, CORWIN, FINCH, JORDAN, McDONOUGH, SALADINO -- read once and referred to the Committee on Insurance

AN ACT to amend the insurance law, in relation to recovery of non-economic loss

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

Section 1. Section 5104 of the insurance law is amended by adding a new subsection (d) to read as follows:

(D) A FINANCIALLY IRRESPONSIBLE MOTORIST AND AN UNLAWFULLY INSURED PERSON SHALL NOT HAVE A RIGHT OF RECOVERY FOR NON-ECONOMIC LOSS ARISING OUT OF THE USE OR OPERATION OF A MOTOR VEHICLE OR MOTORCYCLE.

S 2. This act shall take effect January 1, 2012 and shall apply to any cause of action filed on or after such date.

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

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