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

10432

I N A S S E M B L Y

May 29, 2012

Introduced by M. of A. LAVINE -- read once and referred to the Committee on Insurance

AN ACT to amend the insurance law, in relation to an exemption to certain provisions of law relating to risk-based capital for property/casualty insurance companies; and to repeal section 1325 of the insurance law relating thereto

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

Section 1. Section 1325 of the insurance law is REPEALED and a new section 1325 is added to read as follows:

S 1325. EXEMPTION. FOR THE PURPOSES OF EXEMPTING CERTAIN INSURANCE COMPANIES FROM THE PROVISIONS OF SECTION ONE THOUSAND THREE HUNDRED TWENTY-FOUR OF THIS ARTICLE, THE SUPERINTENDENT SHALL EXEMPT, THROUGH DECEMBER THIRTY-FIRST, TWO THOUSAND SIXTEEN, THOSE STOCK AND NON-STOCK INSURANCE COMPANIES TO WHICH SUBPARAGRAPH (B) OF PARAGRAPH TWO OF SUBSECTION (B) OF SUCH SECTION APPLIES.

S 2. Subsection (c) of section 2343 of the insurance law, as separately amended by section 19 of part C and section 106-a of part H of chapter 59 of the laws of 2011, is amended to read as follows:

(c) Notwithstanding any other provision of this chapter, no application for an order of rehabilitation or liquidation of a domestic insurer whose primary liability arises from the business of medical malpractice insurance, as that term is defined in subsection (b) of section five thousand five hundred one of this chapter, shall be made on the grounds specified in subsection (a) or (c) of section seven thousand four hundred two of this chapter at any time prior to [June thirtieth] DECEMBER THIRTY-FIRST, two thousand [fourteen] SIXTEEN.

S 3. 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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