

S T A T E   O F   N E W   Y O R K

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2011-2012 Regular Sessions

I N   A S S E M B L Y

January 12, 2011

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Introduced by M. of A. PEOPLES-STOKES, P. RIVERA, SCHROEDER -- Multi-Sponsored by -- M. of A. WRIGHT -- read once and referred to the Committee on Insurance

AN ACT to amend the insurance law, in relation to discrimination based on inquiries

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

1     Section 1. The insurance law is amended by adding a new section 2616  
2     to read as follows:  
3     S 2616. DISCRIMINATION BASED ON INQUIRIES. (A) NO INSURER SHALL REPORT  
4     TO AN INSURANCE SUPPORT ORGANIZATION OR COMPANY THAT COLLECTS AND MAIN-  
5     TAINS CLAIMS HISTORY REPORTS FROM INSURERS, ANY INQUIRY ABOUT A POLICY,  
6     INCLUDING ANY INQUIRY IN WHICH LOSS OR DAMAGE IS REVEALED UNDER A HOME-  
7     OWNERS', PERSONAL LINES FIRE, OR NON-BUSINESS MOTOR VEHICLE INSURANCE  
8     POLICY.  
9     (B) NO INSURER SHALL REFUSE TO ISSUE OR RENEW A HOMEOWNERS', PERSONAL  
10    LINES FIRE, OR NON-BUSINESS MOTOR VEHICLE INSURANCE POLICY, IMPOSE OR  
11    OFFER A HIGHER RATE OR PREMIUM FOR ANY SUCH POLICY, OR ASSIGN TO A MORE  
12    EXPENSIVE AFFILIATE, RATING TIER OR CATEGORY, AN INSURED OR APPLICANT  
13    FOR ANY SUCH POLICY ON THE BASIS OF ANY INQUIRY ABOUT A POLICY, INCLUD-  
14    ING ANY INQUIRY IN WHICH LOSS OR DAMAGE IS REVEALED TO THE INSURER OR  
15    ANY PREVIOUS INSURERS, OR ON THE BASIS OF ANY SUCH INQUIRY REPORTED TO  
16    OR RECORDED BY AN INSURANCE SUPPORT ORGANIZATION OR COMPANY THAT  
17    COLLECTS AND MAINTAINS CLAIMS HISTORY REPORTS FROM INSURERS.  
18    S 2. This act shall take effect on the thirtieth day after it shall  
19    have become a law.

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

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