

3832

2013-2014 Regular Sessions

I N A S S E M B L Y

January 29, 2013

Introduced by M. of A. PEOPLES-STOKES, RIVERA -- 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 MAINTAINS
5 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, INCLUDING
14 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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