

7453

2013-2014 Regular Sessions

I N A S S E M B L Y

May 17, 2013

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

AN ACT to amend the insurance law, in relation to requiring the super-
intendent of financial services to promulgate regulations which
provide standardized definitions for commonly used terms and phrases
in certain insurance policies

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

1 Section 1. Section 3425 of the insurance law is amended by adding a
2 new subsection (t) to read as follows:
3 (T) WITHIN SIX MONTHS AFTER THE EFFECTIVE DATE OF THIS SUBSECTION, THE
4 SUPERINTENDENT SHALL PROMULGATE REGULATIONS IN ACCORDANCE WITH SECTION
5 TWO HUNDRED TWO OF THE STATE ADMINISTRATIVE PROCEDURE ACT WHICH PROVIDE
6 STANDARDIZED DEFINITIONS FOR COMMONLY USED TERMS AND PHRASES IN POLICIES
7 THAT PROVIDE COVERAGE FOR PERSONAL LINES INSURANCE AS DEFINED IN PARA-
8 GRAPH TWO OF SUBSECTION (A) OF THIS SECTION. SUCH STANDARDIZED TERMS AND
9 PHRASES SHALL BE USED IN SUCH POLICIES ISSUED OR DELIVERED IN THIS STATE
10 ON OR AFTER THE DATE THE REGULATIONS ARE FINALIZED, WHICH SHALL BE NO
11 LATER THAN JANUARY FIRST, TWO THOUSAND FIFTEEN. AN INSURER MAY USE
12 ALTERNATIVE DEFINITIONS, SO LONG AS SUCH DEFINITIONS ARE NOT ANY LESS
13 FAVORABLE TO THE POLICYHOLDER OR CLAIMANT, AS DETERMINED BY THE SUPER-
14 INTENDENT.
15 S 2. Section 3426 of the insurance law is amended by adding a new
16 subsection (p) to read as follows:
17 (P) WITHIN SIX MONTHS AFTER THE EFFECTIVE DATE OF THIS SUBSECTION, THE
18 SUPERINTENDENT SHALL PROMULGATE REGULATIONS IN ACCORDANCE WITH SECTION
19 TWO HUNDRED TWO OF THE STATE ADMINISTRATIVE PROCEDURE ACT WHICH PROVIDE
20 STANDARDIZED DEFINITIONS FOR COMMONLY USED TERMS AND PHRASES IN POLICIES
21 THAT PROVIDE COVERAGE FOR COMMERCIAL LINES INSURANCE POLICIES THAT COVER
22 LOSS OR DAMAGE TO REAL PROPERTY, PERSONAL PROPERTY, OR OTHER LIABILITIES
23 FOR LOSS OR DAMAGE TO PROPERTY. SUCH STANDARDIZED TERMS AND PHRASES

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

LBD11159-02-3

1 SHALL BE USED IN SUCH POLICIES ISSUED OR DELIVERED IN THIS STATE ON OR
2 AFTER THE DATE THE REGULATIONS ARE FINALIZED, WHICH SHALL BE NO LATER
3 THAN JANUARY FIRST, TWO THOUSAND FIFTEEN. AN INSURER MAY USE ALTERNATIVE
4 DEFINITIONS, SO LONG AS SUCH DEFINITIONS ARE NOT ANY LESS FAVORABLE TO
5 THE POLICYHOLDER OR CLAIMANT, AS DETERMINED BY THE SUPERINTENDENT.
6 S 3. This act shall take effect immediately.