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

6481

2015-2016 Regular Sessions

I N A S S E M B L Y

March 25, 2015

Introduced by M. of A. OAKS, KOLB, BARCLAY, HAWLEY, MONTESANO, DiPIETRO, WALTER, FINCH, LAWRENCE -- Multi-Sponsored by -- M. of A. CORWIN, FRIEND, LALOR, 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, 2016 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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