

2351

2015-2016 Regular Sessions

I N S E N A T E

January 22, 2015

Introduced by Sen. SEWARD -- read twice and ordered printed, and when
printed to be committed to the Committee on Insurance

AN ACT to amend the insurance law, in relation to anti-concurrent causa-
tion clauses

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

1 Section 1. The insurance law is amended by adding a new section 3455
2 to read as follows:
3 S 3455. ANTI-CONCURRENT CAUSATION CLAUSES. AN INSURER SHALL NOT DENY
4 OR EXCLUDE COVERAGE FOR ANY CLAIM FOR LOSS OR DAMAGE THAT WOULD OTHER-
5 WISE BE COVERED BY A POLICY SOLELY BECAUSE AN EVENT OR PERIL NOT COVERED
6 UNDER THE POLICY OR SPECIFICALLY EXCLUDED UNDER THE POLICY WAS A
7 CONTRIBUTING FACTOR IN SUCH LOSS OR DAMAGE OR OCCURRED SIMULTANEOUSLY
8 WITH THE EVENT OR PERIL THAT WAS COVERED.
9 S 2. This act shall take effect immediately and shall apply to claims
10 made on or after such effective date.

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

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