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3860

2015-2016 Regular Sessions

I N   S E N A T E

February 20, 2015
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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 deductibles for phys-
  ical damage insurance

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

 1   Section 1. Subsection (k) of section 3411 of the insurance law is
 2 amended to read as follows:
 3   (k) (1) Each insurer which offers physical damage insurance subject to
 4 the provisions of this section shall offer such insurance with a stand-
 5 ard deductible of two hundred dollars for each occurrence. The insured
 6 shall, however, at the inception of the policy or at the annual anniver-
 7 sary date, or at the time of the replacement or addition of an automo-
 8 bile, have the option of purchasing a policy with a lesser deductible,
 9 but in no event may the insurer sell a policy with a deductible of less
10 than fifty dollars for fire, theft or comprehensive insurance coverages
11 (one hundred dollars for assigned risk policies issued pursuant to para-
12 graph two of subsection (a) of section five thousand three hundred three
13 of this chapter) and one hundred dollars for collision insurance cover-
14 age except that window glass coverage may be sold without a deductible.
15 Each insurer which offers physical damage insurance subject to the
16 provisions of this section shall also offer physical damage coverages
17 with co-insurance or deductible provisions or combinations thereof as
18 the superintendent may prescribe, including but not limited to deduct-
19 ibles of two hundred fifty dollars, five hundred dollars and one thou-
20 sand dollars.
21   (2) NOTWITHSTANDING THE DOLLAR LIMITS FOR DEDUCTIBLES IN PARAGRAPH ONE
22 OF THIS SUBSECTION, AN INSURER WHICH OFFERS PHYSICAL DAMAGE INSURANCE
23 SUBJECT TO THE PROVISIONS OF THIS SECTION MAY OFFER A REDUCED DOLLAR
24 DEDUCTIBLE, A ZERO DOLLAR DEDUCTIBLE OR A DEDUCTIBLE THAT DIMINISHES
25 OVER TIME AND MAY ULTIMATELY BE REDUCED TO ZERO DOLLARS.
26   S 2. This act shall take effect immediately.