

STATE OF NEW YORK

3533

2017-2018 Regular Sessions

IN ASSEMBLY

January 27, 2017

Introduced by M. of A. COOK, PEOPLES-STOKES -- Multi-Sponsored by -- M.
of A. BARCLAY, GOTTFRIED -- read once and referred to the Committee on
Insurance

AN ACT to amend the insurance law, in relation to the collateral estop-
pel effect of issues decided by certain arbitrators

The People of the State of New York, represented in Senate and Assem-
bly, do enact as follows:

1 Section 1. Section 5106 of the insurance law is amended by adding a
2 new subsection (e) to read as follows:

3 (e) With respect to an action for serious personal injury permissible
4 under section five thousand one hundred four of this article, the award
5 or decision of an arbitrator or master arbitrator rendered pursuant to
6 subsection (c) of this section shall not constitute a collateral estop-
7 pel of the issues arbitrated.

8 § 2. This act shall take effect immediately.

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

LBD05631-01-7