# STATE OF NEW YORK

5505

2019-2020 Regular Sessions

# IN SENATE

May 3, 2019

Introduced by Sen. COMRIE -- 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 the collateral estoppel effect of issues decided by certain arbitrators

**The People of the State of New York, represented in Senate and Assembly, do enact as follows:**

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

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

§ 2. This act shall take effect immediately.

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

LBD08027-01-9