STATE OF NEW YORK

5735

2019-2020 Regular Sessions

IN SENATE

May 14, 2019

Introduced by Sen. BRESLIN -- 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 permitting insurers to make available multiple rating programs for commercial insurance within the same company

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

Section 1. Section 2352 of the insurance law, as added by chapter 457 of the laws of 2011, is amended to read as follows:

§ 2352. Multiple rating programs. (a) Subject to the superintendent's prior approval, an insurer may establish more than one rating program within the same company for policies of insurance that are subject to section three thousand four hundred twenty-five **or section three thousand four hundred twenty-six** of this chapter; provided that:

(1) each rating program shall apply only to policies newly written on or after the effective date of the rating program but prior to the effective date of any subsequently approved rating program; provided however if an insurer terminates a rating program, then the insurer shall renew the policies that were subject to the terminated rating program in a subsequently approved rating program.

(2) the provisions of subsection (f) of section three thousand four hundred twenty-five and subsection (b) of section two thousand three hundred forty-nine of this chapter shall be applied to each rating program **to which they are applicable** separately.

(b) The superintendent may promulgate rules and regulations to implement the provisions of this section.

§ 2. This act shall take effect on the ninetieth day after it shall have become a law.

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

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