

# STATE OF NEW YORK

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4648

2019-2020 Regular Sessions

## IN ASSEMBLY

February 4, 2019

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Introduced by M. of A. COOK, PEOPLES-STOKES, D'URSO -- 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.

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