

# STATE OF NEW YORK

239

2019-2020 Regular Sessions

## IN SENATE

(Prefiled)

January 9, 2019

Introduced by Sen. HOYLMAN -- 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 prohibiting insurers from cancelling, refusing to issue or renew homeowner's insurance and renters insurance based on the breed of dog owned

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

1 Section 1. The insurance law is amended by adding a new section 3421  
2 to read as follows:

3 § 3421. Homeowner's liability insurance and renters insurance; dogs.  
4 No insurer issuing a policy or contract insuring against liability for  
5 injury to any person, or injury to or destruction of property arising  
6 out of ownership or lease of residential one, two, three or four dwell-  
7 ing real property, including renters insurance, shall refuse to issue,  
8 renew or cancel for such a policy or contract based, in whole or in  
9 part, upon the harboring of any specific breed or breeds of dog or dogs  
10 upon such real property or rental. The rates for that portion of any  
11 such policy or contract which insures against liability for injury to  
12 any person, or injury to or destruction of property shall be based on  
13 sound underwriting and actuarial principles. However, if any such dog  
14 has been designated as a dangerous dog pursuant to section one hundred  
15 twenty-three of the agriculture and markets law, the provisions of this  
16 section shall in no manner prohibit an insurer from refusing to issue or  
17 renew or from cancelling any such contract or policy, nor from imposing  
18 an increased premium or rate for such a policy or contract based on  
19 sound underwriting and actuarial principles reasonably related to actual  
20 or anticipated loss experience subject to the applicable provisions of  
21 section three thousand four hundred twenty-five of this article.

22 § 2. This act shall take effect immediately and shall apply to all  
23 policies issued, renewed, modified, altered or amended on or after such  
24 date.

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

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