

STATE OF NEW YORK

2286

2021-2022 Regular Sessions

IN ASSEMBLY

January 14, 2021

Introduced by M. of A. PRETLOW -- read once and referred to the Committee on Insurance

AN ACT to amend the insurance law, in relation to notice of disclaimer of liability for certain revived causes of action

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

1 Section 1. Paragraph 2 of subsection (d) of section 3420 of the insurance law, as amended by chapter 388 of the laws of 2008, is amended to
2 read as follows:

3 (2) If under a liability policy issued or delivered in this state, an
4 insurer shall disclaim liability or deny coverage for death or bodily
5 injury arising out of a motor vehicle accident or any other type of
6 accident occurring within this state, it shall give written notice as
7 soon as is reasonably possible of such disclaimer of liability or denial
8 of coverage to the insured and the injured person or any other claimant.
9 Provided, however, that with regard to any civil claim or cause of
10 action revived pursuant to section two hundred fourteen-g of the civil
11 practice law and rules, an insurer shall give written notice of a
12 disclaimer of liability or denial of insurance coverage for such revived
13 claim or cause of action to the insured within one hundred twenty days
14 after the insurer has received actual notice of such revived civil claim
15 or cause of action.

16 § 2. This act shall take effect immediately and be deemed to be in
17 full force and effect on the same date and in the same manner as section
18 3 of chapter 11 of the laws of 2019, and shall apply to all policies
19 entered into on or before such date.
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EXPLANATION--Matter in italics (underscored) is new; matter in brackets
[-] is old law to be omitted.

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