STATE OF NEW YORK

4672

2021-2022 Regular Sessions

IN ASSEMBLY

February 4, 2021

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

AN ACT to amend the insurance law, in relation to allowing credit cards to offer an ancillary benefit for wireless communications equipment

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

Section 1. Paragraph 12 of subsection (d) of section 3442 of the insurance law, as amended by chapter 318 of the laws of 2008, is renumbered paragraph 13 and amended, and a new paragraph 12 is added to read as follows:

(12) Loss of or damage to wireless communications equipment or loss of use resulting from a defect in materials or workmanship to wireless communication equipment, where:

(A) the wireless communications equipment is owned or leased by;

(i) an authorized user; or

(ii) a beneficiary other than an authorized user, if coverage is provided under the account group policy to the beneficiary as an additional insured;

(B) the account group member's payment medium is used to obtain the wireless services related to the wireless communication equipment;

(C) the amount of coverage does not exceed ten thousand dollars per wireless communications equipment, but in no event shall the coverage exceed fifty thousand dollars in the aggregate per group member per policy year;

(D) the period of coverage for the wireless communication equipment does not exceed 60 days from each date wireless services are charged, debited, or drawn; and

(E) For purposes of this paragraph, the term "wireless communications equipment" shall mean wireless handsets, pagers, personal digital assistants, wireless telephones or wireless telephone batteries and other wireless devices and accessories related to such devices that are

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

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used to access wireless communications services and includes wireless services.

(13) Coverages which, in the opinion of the superintendent, are determined to be substantially similar to one of the foregoing coverages specified in paragraphs one through [~~eleven~~] **twelve** of this subsection, or such other coverages that the superintendent determines are limited in scope, and not duplicative or a substitute for other more comprehensive coverages, and thereupon for purposes of this section shall be deemed to be permissible pursuant to regulations promulgated by the superintendent.

§ 2. This act shall take effect immediately.