STATE OF NEW YORK

4112

2021-2022 Regular Sessions

IN SENATE

February 2, 2021

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 authorizing the superintendent of financial services to authorize the return of subscribing member operating reserve balances to members of a municipal insurance reciprocal

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

Section 1. Paragraph 3 of subsection (a) of section 6109 of the insurance law, as amended by chapter 433 of the laws of 2016, is amended to read as follows:

(3) Notwithstanding the foregoing, the superintendent may, upon application from the attorney-in-fact:

(A) approve other methods for accumulating such subscriber's operating reserve; or

(B) permit the suspension of the accumulation of the operating reserve for a fiscal year provided that those earnings are returned to the subscriber in accordance with subparagraph (B) of paragraph two of subsection (c) of this section**; or**

(C) in the case of a municipal reciprocal insurer, authorize the return of any outstanding subscriber operating reserve balance.

§ 2. This act shall take effect immediately.

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

LBD01939-01-1