

# STATE OF NEW YORK

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4112

2021-2022 Regular Sessions

## IN SENATE

February 2, 2021

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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:

- 1 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  
2 read as follows:  
3  
4 (3) Notwithstanding the foregoing, the superintendent may, upon application from the attorney-in-fact:  
5  
6 (A) approve other methods for accumulating such subscriber's operating  
7 reserve; or  
8 (B) permit the suspension of the accumulation of the operating reserve  
9 for a fiscal year provided that those earnings are returned to the  
10 subscriber in accordance with subparagraph (B) of paragraph two of  
11 subsection (c) of this section; or  
12 (C) in the case of a municipal reciprocal insurer, authorize the  
13 return of any outstanding subscriber operating reserve balance.  
14 § 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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