STATE OF NEW YORK

4559

2021-2022 Regular Sessions

IN SENATE

February 5, 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 limiting certain regulations or orders promulgated by the superintendent

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

Section 1. The insurance law is amended by adding a new section 4227 to read as follows:

§ 4227. Limitations on the superintendent. (a) Notwithstanding any other provision of law, the superintendent is prohibited from promulgating any regulation, rule, advisory or otherwise imposing any suitability, best interest or fiduciary standard, or enforcing any such regulation, rule, advisory or otherwise, pertaining to the provision of counsel, advice or a recommendation to a consumer or potential consumer of term life insurance, by a licensed insurance agent or broker, or a life insurance company authorized to do business in this state, in conjunction with the purchase of a term life insurance policy, as that term is defined in this chapter, or in conjunction with the exercise of any right or contractual option or amendment pursuant to the provisions of any such policy, when the insured face amount of such policy, or potential policy is of one million dollars or less.

(b) Any provision of the superintendent's regulations or orders in effect on the effective date of this section which may be contrary to this section shall be deemed null and void. Particularly, any provision of 11 NYCRR Part 224 contrary to this section shall be null and void and the superintendent shall amend such regulation accordingly, by the consensus regulatory process.

§ 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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