STATE OF NEW YORK

4665

2023-2024 Regular Sessions

IN ASSEMBLY

February 21, 2023

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

AN ACT to amend the insurance law, the vehicle and traffic law and the workers' compensation law, in relation to requiring insurers to send notices of renewal of certain policies to the insured no later than thirty days prior to the expiration of the policy

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 3462 to read as follows:

§ 3462. Notice of renewal required. 1. Notwithstanding any contrary provision of law, no insurance policy subject to the provisions of this article issued and delivered on and after the effective date of this section shall be renewed or extended beyond its policy period or term unless the insurer provides a written notice of renewal or extension of the policy to the insured no later than thirty days prior to the expiration of such policy period or term.

2. Every notice of renewal required pursuant to subdivision one of this section shall be delivered to the insured in such form and in such manner as the superintendent shall prescribe.

§ 2. Section 3102 of the insurance law is amended by adding a new subsection (g) to read as follows:

(g) Notice of renewal required. Notwithstanding any contrary provision of law, no renewal or extension certificate in connection with an insurance policy subject to the requirements of this section shall be made, issued or delivered in this state unless the insurer provides a written notice of such renewal or extension to the insured no later than thirty days prior to the expiration of the policy period or term in accordance with the provisions of section three thousand four hundred sixty-two of this chapter.

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

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§ 3. The vehicle and traffic law is amended by adding a new section 313-a to read as follows:

§ 313-a. Notice of renewal. No contract of insurance for which a certificate of insurance has been filed with the commissioner in which a natural person is the named insured and the motor vehicle is used predominantly for non-business purposes and no such contract in which the named insured is not a natural person or the motor vehicle is used predominantly for business purposes shall be renewed by an insurer unless at least thirty days in advance of the renewal date the insurer mails or delivers to the named insured at the address shown on the policy a written notice of renewal. All such notices of renewal shall be sent by regular mail with a certificate of mailing, properly endorsed by the postal service to be obtained in a form prescribed by the commissioner for such purpose.

§ 4. Section 54 of the workers' compensation law is amended by adding a new subdivision 5-b to read as follows:

5-b. Notice of renewal. No contract of insurance issued by an insurance carrier against liability arising under this chapter shall be renewed unless the insurance carrier provides written notice of such renewal to the employer no later than thirty days prior to the expiration date of the policy in accordance with the provisions of section three thousand four hundred sixty-two of the insurance law.

§ 5. This act shall take effect on the ninetieth day after it shall have become a law. Effective immediately, the addition, amendment and/or repeal of any rule or regulation necessary for the implementation of this act on its effective date are authorized to be made and completed on or before such date.