STATE OF NEW YORK

7069

2023-2024 Regular Sessions

IN SENATE

May 17, 2023

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 ensuring life insurance and annuity business policies are self-supporting; and providing for the repeal of section 4228 of such law relating thereto

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

Section 1. Section 4228 of the insurance law is REPEALED.

§ 2. The insurance law is amended by adding a new section 4228 to read as follows:

§ 4228. Life insurance and annuity business; policy to be self-supporting. No company shall offer for sale any life insurance policy form or annuity contract form or any debit life insurance policy form which shall not appear to be self-supporting on reasonable assumptions as to interest, mortality, persistency, taxes, agents' and brokers' survival and expenses resulting from the sale of the policy or contract form. For all such forms offered for sale in this state, and for all forms filed for use outside this state by domestic life insurance companies, a statement that the requirements of this section have been met, signed by an actuary who is a member in good standing of the American Academy of Actuaries and meets the requirements prescribed by the superintendent by regulation shall be submitted with each such life insurance policy or annuity contract form filed pursuant to paragraph one or six of subsection (b) of section three thousand two hundred one of this chapter. A demonstration supporting each such statement, signed by an actuary meeting such qualifications, shall be retained in the company's home office, while such form is being offered in this state and for a period of six years thereafter and be available for inspection. The superintendent shall promulgate a regulation establishing the guidelines applicable to such demonstration.

§ 3. This act shall take effect on January 1, 2024 and shall apply to any life insurance policy, annuity contract, or debit life insurance policy entered into on or after such date.

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

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