

STATE OF NEW YORK

5646

2023-2024 Regular Sessions

IN ASSEMBLY

March 20, 2023

Introduced by M. of A. COOK, PEOPLES-STOKES, HYNDMAN, DICKENS, SIMON --
Multi-Sponsored by -- M. of A. DAVILA -- read once and referred to the
Committee on Insurance

AN ACT to amend the insurance law, in relation to the collateral estop-
pel effect of issues decided by certain arbitrators

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

- 1 Section 1. Section 5106 of the insurance law is amended by adding a
2 new subsection (e) to read as follows:
3 (e) With respect to an action for serious personal injury permissible
4 under section five thousand one hundred four of this article, the award
5 or decision of an arbitrator or master arbitrator rendered pursuant to
6 subsection (c) of this section shall not constitute a collateral estop-
7 pel of the issues arbitrated.
8 § 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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