

STATE OF NEW YORK

6867

2023-2024 Regular Sessions

IN ASSEMBLY

May 8, 2023

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

AN ACT to amend the insurance law, in relation to prohibiting certain restrictions as it relates to dog breed; and to repeal certain provisions of such law relating thereto

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

1 Section 1. Section 3421 of the insurance law is REPEALED and a new
2 section 3421 is added to read as follows:

3 § 3421. Dogs; coverage refusal. (a) An insurer that issues or delivers
4 a policy in this state shall not cancel, refuse to issue, refuse to
5 renew, or increase the premium of a policy or exclude, limit, restrict,
6 or reduce coverage under such policy based solely upon harboring or
7 owning any dog of a specific breed or mixture of breeds.

8 (b) The provisions of this section shall not prohibit an insurer from
9 refusing to issue or renew or from canceling any such contract or poli-
10 cy, nor from imposing a reasonably increased premium or rate for such a
11 policy or contract based upon the designation of a dog of any breed or
12 mixture of breeds as a dangerous dog pursuant to section one hundred
13 twenty-three of the agriculture and markets law, based on sound under-
14 writing and actuarial principles reasonably related to actual or antic-
15 ipated loss experience subject to the applicable provisions of section
16 three thousand four hundred twenty-five of this article.

17 (c) This section shall apply to policies of insurance if the insured
18 or proposed insured is an individual.

19 § 2. This act shall take effect on the ninetieth day after it shall
20 have become a law and shall apply to all policies issued, renewed, modi-
21 fied, altered or amended on or after such effective date.

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

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