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:

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 Section 3421 of the insurance law is REPEALED and a new section 3421 is added to read as follows:

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

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

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

§ 2. This act shall take effect on the ninetieth day after it shall have become a law and shall apply to all policies issued, renewed, modified, 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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