STATE OF NEW YORK

2816

2023-2024 Regular Sessions

IN SENATE

January 24, 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 notice of disclaimer of liability for certain revived causes of action

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

Section 1. Paragraph 2 of subsection (d) of section 3420 of the insurance law, as amended by chapter 388 of the laws of 2008, is amended to read as follows:

(2) If under a liability policy issued or delivered in this state, an insurer shall disclaim liability or deny coverage for death or bodily injury arising out of a motor vehicle accident or any other type of accident occurring within this state, it shall give written notice as soon as is reasonably possible of such disclaimer of liability or denial of coverage to the insured and the injured person or any other claimant. **Provided, however, that with regard to any civil claim or cause of action revived pursuant to section two hundred fourteen-g of the civil practice law and rules, an insurer shall give written notice of a disclaimer of liability or denial of insurance coverage for such revived claim or cause of action to the insured within one hundred twenty days after the insurer has received actual notice of such revived civil claim or cause of action.**

§ 2. This act shall take effect immediately and be deemed to be in full force and effect on the same date and in the same manner as section 3 of chapter 11 of the laws of 2019, as amended, and shall apply to all policies entered into on or before such date.

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

LBD05878-01-3