STATE OF NEW YORK

11724

IN ASSEMBLY

September 16, 2026

Introduced by COMMITTEE ON RULES -- (at request of M. of A. Rosenthal) -- read once and referred to the Committee on Insurance

AN ACT to amend the insurance law, in relation to requiring property/casualty insurance carriers to provide access to underwriting models or granular claim data to the department of financial services

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

Section 1. The insurance law is amended by adding a new section 338 to read as follows:

§ 338. Access to underwriting models and claim data. (a) Definitions. For purposes of this section:

(1) "Underwriting model" means any algorithm, formula, or structured methodology used by a property/casualty carrier to assess risk, determine premiums, or evaluate eligibility for coverage.

(2) "Granular claim data" means detailed, record-level information regarding claims, including but not limited to claim type, amount, date, geographic location, and resolution status.

(3) "Mutually agreed department staff" means employees or agents of the department designated by the superintendent and agreed upon with the property/casualty insurance carrier for purposes of review.

(b) Access to underwriting models. Every property/casualty insurance carrier authorized to do business in this state shall provide access to its underwriting models to mutually agreed department staff, upon request of the superintendent.

(c) Access to granular claim data. In the event that underwriting models are not available, a property/casualty insurance carrier shall provide access to granular claim data to mutually agreed department staff, sufficient to allow the department to evaluate underwriting practices and risk assessment methodologies.

(d) Confidentiality. Information provided under this section shall be subject to confidentiality protections consistent with applicable state and federal law. Department staff shall maintain such information solely for regulatory purposes.

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

LBD16321-01-6

<u>(e) Compliance. Failure to comply with this section shall constitute a violation and may subject the property/casualty insurance carrier to penalties under section one hundred nine of this chapter, including fines, suspension, or revocation of license.</u>

§ 2. This act shall take effect on the ninetieth day after it shall have become a law.