

STATE OF NEW YORK

1273

2025-2026 Regular Sessions

IN ASSEMBLY

January 9, 2025

Introduced by M. of A. PEOPLES-STOKES, STECK, MAMDANI, SIMON, PAULIN, KELLES, HYNDMAN, ALVAREZ, LUNSFORD, ANDERSON, SEAWRIGHT -- read once and referred to the Committee on Insurance

AN ACT to amend the insurance law, in relation to prohibiting motor vehicle insurers from discriminating based on socioeconomic factors

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

1 Section 1. The insurance law is amended by adding a new section 2619
2 to read as follows:

3 § 2619. Rating factors prohibited. (a) Any insurer or insurance compa-
4 ny group doing business in the state as a motor vehicle insurer may not
5 use classification plans, rules or rates, rating plans or modifications
6 of any of the foregoing, based in whole or in part on the factors speci-
7 fied in this section. Any classification plans, rules or rates, rating
8 plans or modifications issued by said insurer or insurance company group
9 using the following factors in whole or in part shall be deemed to
10 violate public policy and are subject to disapproval by the superinten-
11 dent:

12 (1) age;

13 (2) marital status;

14 (3) sex;

15 (4) sexual orientation;

16 (5) educational background or education level attained;

17 (6) employment status or occupation;

18 (7) income level;

19 (8) consumer credit information or score;

20 (9) ownership or interest in real property;

21 (10) any indication of a consumer's price elasticity of demand; and

22 (11) any other characteristic indicating or tending to indicate the
23 socioeconomic status of an individual.

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

LBD02978-01-5

1 (b) It shall further be unlawful to consider the factors specified in
2 subsection (a) of this section to:

3 (1) adjust any algorithm or equation used to construct actuarial
4 tables or otherwise determine the cost of coverage;

5 (2) make any distinction or discrimination between persons as to the
6 premiums or rates charged for motor vehicle insurance policies or the
7 terms of coverage or in any other manner whatsoever;

8 (3) demand or require a greater premium from any person than such
9 insurer requires at that time from other individuals or entities in
10 similar cases; or

11 (4) refuse to issue, renew, or sell a policy after appropriate appli-
12 cation therefor.

13 (c) For the purposes of this section:

14 (1) "sex" shall include gender identity or expression; and

15 (2) "gender identity or expression" shall have the same meaning as
16 defined in section two hundred ninety-two of the executive law.

17 § 2. This act shall take effect immediately.