STATE OF NEW YORK

7265

2025-2026 Regular Sessions

IN SENATE

April 7, 2025

Introduced by Sen. BAILEY -- read twice and ordered printed, and when printed to be committed to the Committee on Insurance

AN ACT to amend the insurance law and the state finance law, in relation to establishing the strengthen homes program

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 article 6 to read as follows:

ARTICLE 6

STRENGTHEN HOMES PROGRAM

Section 601. Purpose.
602. Strengthen homes program.
603. Premium discount or insurance rate reduction.

§ 601. Purpose. The purpose of this article is to promote the strengthening of homes in order to protect against severe weather.

§ 602. Strengthen homes program. (a) The strengthen homes program is hereby created within the department. The superintendent, as program administrator, may make financial grants to retrofit roofs of insurable property, as defined in paragraph six of subsection (b) of section six hundred three of this article, with a homestead exemption to resist loss due to hurricane, tornado, or other catastrophic windstorm events and to meet or exceed the fortified roof standard of the insurance institute for business and home safety.

(b) The superintendent shall promulgate rules governing eligibility requirements for grants and the administration of the program, which shall include application forms and procedures for seeking a grant. The rules shall set forth that applications will be accepted on a first-come, first-served basis within each income tier established by the superintendent, with priority given to lower-income applicants, applicants who live in locations that, based on historical data, have a higher susceptibility to catastrophic weather events, and applicants meeting

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

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any other criteria the superintendent determines is appropriate to meet the purpose of the program.

(c) In order to receive a grant pursuant to this section, the grantee shall do all of the following:

(1) Obtain all permits required by law or ordinance for construction.

(2) Arrange and pay for inspections required by law or ordinance and the terms of the grant, which shall include inspection pursuant to paragraph two of subsection (b) of section six hundred three of this article.

(3) Comply with applicable building codes.

(4) Maintain records as required by paragraph three of subsection (b) of section six hundred three of this article and the terms of the grant.

(d) The name of a recipient of a grant received pursuant to this section, the amount of the grant, and the municipal address of the retrofitted insurable property shall be a public record.

(e) The superintendent shall use their best efforts to obtain grants or funds from the federal government or other funding sources for deposit into the strengthen homes program fund, established pursuant to section ninety-nine-ss of the state finance law, to supplement any appropriations to such fund made by the legislature.

(f) Implementation of the program is subject to the receipt of federal grants or funds or from other sources of grants or funds.

(g) To be eligible to work as a contractor on a project funded by a grant under this section, such contractor shall meet all of the following program requirements and shall maintain a current copy of all certificates, licenses, and proof of insurance coverage with the program office. An eligible contractor shall:

(1) be registered or licensed as a home improvement contractor pursuant to local law as applicable;

(2) not be subject to disciplinary action by the applicable licensing or accrediting body;

(3) hold any other state or jurisdictional business license, registration, or work permits required by law;

(4) possess an in-force general liability policy with one million dollars in liability coverage;

(5) possess an in-force workers compensation policy;

(6) maintain certification as a trained service provider with the insurance institute for business and home safety;

(7) maintain internet access and keep a valid email address on file with the program; and

(8) agree to follow program procedures and rules established under this section and satisfy any additional requirements established by the superintendent.

(h) An eligible contractor shall not have a financial interest, other than payment on behalf of the homeowner, in any project for which the eligible contractor performs work toward a fortified roof designation under the program. An eligible contractor is prohibited from acting as the evaluator for a fortified designation on any project funded by the program. An eligible contractor shall report to the superintendent regarding any potential conflict of interest before work commences on any job funded by the program.

(i) To be eligible to act as an evaluator on a project funded by a grant under this section, such evaluator shall:

(1) meet all program eligibility requirements established by the superintendent;

(2) maintain an active certification as a fortified home evaluator for high wind and hail or a successor certification with the insurance institute for business and home safety;

(3) not have a financial interest in any project that the evaluator inspects for designation purposes for the program;

(4) not be an eligible contractor or supplier of any material, product, or system installed in any home that the evaluator inspects for designation purposes for the program;

(5) not be a sales agent for any home being designated for the program; and

(6) inform the superintendent of any potential conflict of interest impacting the evaluator's participation in the program.

(j) This section does not create any of the following:

(1) An entitlement for property owners to receive funding to inspect or retrofit residential property.

(2) An obligation for the state to appropriate funding to inspect or retrofit residential property.

§ 603. Premium discount or insurance rate reduction. (a) All insurance companies writing property insurance for any property located in the state that has been certified as complying with the most recent version of the fortified roof standard of the insurance institute for business and home safety:

(1) shall provide a premium discount or rate reduction on the coverage if the discount or reduction is actuarially justified and there is sufficient and credible evidence of cost savings that can be attributed to the construction standards; and

(2) may provide a premium discount or rate reduction on the coverage in accordance with any standard discount amounts, targets, or benchmarks established under paragraph one of subsection (c) of this section, and any other adjustment on the coverage.

(b)(1) To obtain a credit or discount provided in this section, an insurable property located in this state shall be certified as constructed in accordance with the fortified roof standards provided by the insurance institute for business and home safety.

(2) An insurable property shall be certified as in conformance with the fortified roof standards only after inspection and certification by an insurance institute for business and home safety certified inspector.

(3) An owner of insurable property claiming a credit or discount shall maintain the insurance institute for business and home safety certification documents, which shall be considered evidence of compliance with the fortified home standards. Upon request, the certification shall be presented to the insurer or potential insurer of a property owner before the adjustment becomes effective for the insurable property.

(4) The credit or discount shall apply only to policies that provide wind coverage and may apply to the portion of the premium for wind coverage or to the total premium, if the insurer does not separate out the premium for wind coverage in the rate filing. The adjustment shall apply exclusively to the premium designated for the improved insurable property. The adjustment is not required to be in addition to other mitigation adjustments provided by the insurer and shall be in lieu of those other adjustments, including those in place prior to the effective date of this section, if they are deemed to be duplicated by the superintendent.

(5) Nothing in this section shall prohibit insurers from offering additional adjustments in deductible, other credit rate differentials, or a combination thereof. These adjustments shall be available under the

terms specified in this section to any owner who builds or locates a new insurable property in this state to resist loss due to hurricane, tornado, or other catastrophic windstorm events.

(6) For the purposes of this section, "insurable property" means residential property that is an owner-occupied, single-family, primary residence, that may be retrofitted.

(c) The superintendent, in consultation with the state fire prevention and building code council, shall promulgate rules and regulations to implement the provisions of this section. Such rules and regulations shall include but not be limited to the following:

(1) Provisions defining and delineating the criteria for discounts, credits, rate differentials, targets, benchmarks, adjustments in deductibles, or any other adjustments to reduce the insurance premium and how such discounts, credits, rate differentials, adjustments in deductibles, or any other adjustments are computed in determining their application in each premium quoted. Any standard discount amounts, targets, or benchmarks promulgated shall be optional and primarily for the benefit of insurers that are unable to obtain actuarially valid data to provide a premium discount or rate reduction under paragraph one of subsection (a) of this section due to inadequate resources or experience.

(2) Those items necessary for an insurer to compute or otherwise determine the actuarially justified amount of any premium rate reduction, discount, credit, rate differential, reduction in deductible, or other adjustment available to an insured.

(3) Provisions establishing the inspection and certification requirements for insureds who comply with the provisions of this section.

(4) Recordkeeping requirements for insurers.

§ 2. The state finance law is amended by adding a new section 99-ss to read as follows:

§ 99-ss. Strengthen homes program fund. 1. There is hereby established in the joint custody of the comptroller and the commissioner of taxation and finance a fund to be known as the "strengthen homes program fund".

2. Such fund shall consist of all grants and funds received or raised by the superintendent of financial services pursuant to subsection (e) of section six hundred two of the insurance law and all other moneys, appropriated, credited, or transferred thereto from any other fund or source pursuant to law.

3. All moneys of the fund shall be used to provide grants pursuant to section six hundred two of the insurance law.

4. Moneys shall be payable from the fund on the audit and warrant of the comptroller on vouchers approved and certified by the superintendent of financial services.

§ 3. This act shall take effect on the one hundred eightieth day after it shall have become a law. Effective immediately, the addition, amendment and/or repeal of any rule or regulation necessary for the implementation of this act on its effective date are authorized to be made and completed on or before such effective date.