

STATE OF NEW YORK

7789

2025-2026 Regular Sessions

IN SENATE

May 6, 2025

Introduced by Sen. FERNANDEZ -- 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 social services law, in relation to certain civil actions

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 346 to
2 read as follows:

3 § 346. Disclosure of certain insurance information. (a) (1) For any
4 claim or civil action that may be brought pursuant to subdivision (b) of
5 section two hundred eight of the civil practice law and rules, section
6 two hundred thirteen-c of the civil practice law and rules, or section
7 two hundred fourteen-g, section two hundred fourteen-j, or subdivision
8 (c) of section four hundred eighty-three-bb of the social services law,
9 each which does or may provide liability coverage to pay for all or a
10 portion of any claim, regardless of whether a civil action has been
11 commenced, shall, within thirty days of a written request by a potential
12 or actual claimant or the claimant's attorney, provide a sworn state-
13 ment, under oath, of a corporate officer or the insurer's claims manag-
14 er, setting forth the following information for each known policy of
15 insurance, including excess or umbrella insurance:

16 (i) the name of the insurer;

17 (ii) the name of each insured, including additional insureds;

18 (iii) the limits of the liability coverage; and

19 (iv) a statement of any policy or coverage defense which such insured
20 reasonably believes is available to such insured at the time the state-
21 ment is signed.

22 (2) The insurer shall also provide a complete copy of the policy to
23 the claimant or claimant's attorney.

24 (b) In addition, the insured, or the insured's insurance agent, upon
25 written request of the claimant or the claimant's attorney, shall

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

LBD11933-01-5

1 disclose the name and coverage of each known insurer to the claimant and
2 shall forward such request for information to all affected insurers. The
3 insurer shall then supply the information required by this section to
4 the claimant or the claimant's attorney within thirty days.

5 (c) The statement required by subsection (a) of this section shall be
6 amended immediately upon discovery of facts calling for an amendment to
7 such statement.

8 § 2. The social services law is amended by adding a new section 483-gg
9 to read as follows:

10 § 483-gg. Immigration status prohibited as part of sworn testimony. In
11 all civil claims or causes of action brought by an individual who is a
12 victim of the conduct prohibited by section 230.33, 230.34, 230.34-a,
13 135.35 or 135.37 of the penal law, including any action or claim brought
14 under subdivision (c) of section four hundred eighty-three-bb of this
15 article or subdivision (b) of section two hundred fourteen-g of the
16 civil practice law and rules, no party shall be compelled to provide
17 sworn testimony as to the legality of their immigration status in the
18 United States at any time during the action or proceeding.

19 § 3. This act shall take effect immediately.