

STATE OF NEW YORK

9151

IN SENATE

February 6, 2026

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, in relation to the use of aerial images by insurers

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 article 92 to
2 read as follows:

ARTICLE 92

USE OF AERIAL IMAGES

Section 9201. Legislative purpose.

9202. Definitions.

9203. Insurers' use of aerial images.

9204. Rules.

3 § 9201. Legislative purpose. The purpose of this article is to honor
4 consumer's traditional rights with regard to property insurance in the
5 face of advancing aerial technologies.

6 § 9202. Definitions. As used in this article, the following terms
7 shall have the following meanings:

8 (a) "Aerial image" means an image of a named insured's property
9 captured from an airborne platform.

10 (b) "Non-renewal" means a termination of property insurance coverage
11 that occurs at the end of the policy term.

12 (c) "Renewal" means:

13 (1) the issuance and delivery by an insurer at the end of a policy
14 period of a policy superseding a policy previously issued and delivered
15 by the same insurer; or

16 (2) the issuance and delivery of a certificate or notice extending the
17 term of an existing policy beyond its policy period or term.

18 § 9203. Insurers' use of aerial images. When utilizing aerial images
19 as part of its coverage determinations, an insurer shall:

20 (a) Ensure that a non-renewal notice include copies of date-stamped
21 images of the property that show the specific conditions that are out of
22 compliance with the insurer's underwriting guidelines and what steps the
23

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

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1 property owner can take to reverse the insurer's decision. Photos must
2 have been taken within the past twelve months.

3 (b) Establish a point of contact and a process for currently insured
4 property owners to use to provide documentation of completion of the
5 required work that the insurer communicates to the insured pursuant to
6 subsection (a) of this section. Such documentation shall be used by the
7 insurer in considering whether to uphold or reverse the non-renewal.

8 (c) Establish an appeal process so the consumer can correct any errors
9 or misunderstandings related to the non-renewal.

10 (d) Provide the named insured a time period consistent with notice
11 requirements set forth in section three thousand four hundred twenty-
12 five of this chapter to cure the defects/conditions underlying a non-re-
13 newal from the date the insurer identifies the specific conditions. An
14 insurer shall have the right to assess the work used to correct defects
15 to determine and ensure they have been corrected in a manner that meets
16 the standards originally communicated by the insurer in subsection (a)
17 of this section. Should the insurer determine that the work did not
18 correct the defects, the insurer shall notify the named insured that the
19 non-renewal shall be upheld.

20 (e) Offer a renewal policy to a consumer who submits proof that they
21 have cured the defects or conditions identified pursuant to subsection
22 (a) of this section. Provided however, an insurer may choose not to
23 renew the policy in question after defects or conditions identified
24 pursuant to subsection (a) of this section have been cured, but only for
25 a reason unrelated to such defects or conditions.

26 § 9204. Rules. The superintendent shall promulgate all rules and regu-
27 lations necessary for the implementation of this article.

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