§ 2115. Property/casualty insurance agents; commissions. (a) * (1) No insurer doing business in this state, and no agent or other representative thereof, except as provided in subsection (b) hereof, shall pay any commission or other compensation to any person, firm, association or corporation for acting as insurance agent in this state, except to a licensed insurance agent of such insurer or to a person described in paragraph two or four of subsection (a) of section two thousand one hundred one of this article or except as provided in subsection (c) of this section. For the purposes of this section, "acting as insurance agent" shall not include the referral of a person to a licensed insurance agent or broker that does not include a discussion of specific insurance policy terms and conditions and where the compensation for referral is not based upon the purchase of insurance by such person.

* NB Effective until September 10, 2029

* (1) No insurer doing business in this state, and no agent or other representative thereof, except as provided in subsection (b) hereof, shall pay any commission or other compensation to any person, firm, association or corporation for acting as insurance agent in this state, except to a licensed insurance agent of such insurer or to a person described in paragraph two or four of subsection (a) of section two thousand one hundred one of this article or except as provided in subsection (c) of this section.

* NB Effective September 10, 2029

(2) The term "licensed insurance agent" as used in this subsection includes any agent authorized to act as such by a license issued and in force pursuant to the provisions of subsection (b) of section two thousand one hundred three of this article or authorized to act as such in connection with contracts for disability benefits pursuant to the provisions of subsection (n) of such section.

(b) This section shall not apply to any life insurance company, fraternal benefit society, accident and health insurance company, health maintenance organization, title insurance company nor to any agent or representative of any such insurer, society or health maintenance organization, acting as such.

(c) An insurer participating in a plan for assignment of personal injury liability insurance or property damage liability insurance

pursuant to article fifty-three of this chapter, or participating in a reinsurance agreement for the writing of bonds to the state of New York under the alcoholic beverage control law, which plan or reinsurance agreement has been approved by the superintendent, may pay a commission to an adequately qualified agent who is licensed to act as agent for any insurer participating in such plan or reinsurance agreement when such agent is designated by the assured as the producer of record under the automobile assigned risk plan pursuant to which a policy is issued, or where such agent submits an application for a bond pursuant to which such bond is issued under such reinsurance agreement.