



## **2024 State Legislative Update: Torts, Insurance and Compensation Law Section**

We've come to the end of the 2024 Legislative Session, with several actions taken by the Legislature that may be of interest to your section. Please reach out to the GR team with any questions about any particular legislation of interest that you don't see on the following list. Any memoranda and letters drafted by the section in support or opposition to legislation were shared by the Government Relations team, and the team looks forward to working with the section as we move into the second half of 2024.

### **Legislation of Interest**

#### **Passed by the Legislature:**

- A9232-B(Weinstein)/S8485-B(Hoylman-Sigal): Provides for the types of damages that may be awarded to the persons for whose benefit an action for wrongful death is brought. This bill passed both houses this session and will go to the Governor for signature or veto.
- A4721(Solages)/S5137(Gonzalez): Relates to prohibiting a court from denying class certification solely because the action involves governmental operations. This legislation passed both houses and will go to the Governor for signature or veto by the end of the year.

#### **Not Passed:**

- A115(Magnarelli): Relates to consumer litigation funding. This bill did not move in the Assembly and has no same-as in the Senate.
- S9281(Hoylman-Sigal)/A8879(Weprin): Repeals section 470 of the judiciary law relating to allowing attorneys having offices in the state to reside in an adjoining state. This legislation passed the Senate but did not move past the rules committee in the Assembly.
- A2127(Dinowitz)/S5188(Skoufis): Relates to permitting a plaintiff to recover directly against a third-party defendant found to be liable in certain actions. This legislation passed the Senate but did not move in the Assembly.
- S7113(Hoylman-Sigal)/A9425(Dinowitz): Relates to class actions. This bill showed no movement this session.
- S9419(Cooney)/A7628(Bores): Requires the reporting of certain accidents involving electric scooters and bicycles with electric assist. This bill passed the Assembly and was sent to the Senate. It passed the Senate after being amended, but did not pass the Assembly a second time after being amended in the Senate.
- A2741(Paulin)/4228(Cooney): Relates to summaries of readable and understandable insurance. This bill passed the Assembly but did not move in the Senate.

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- A4011(Weprin)/S1472(Breslin): Requires the superintendent of financial services to promulgate regulations which provide standardized definitions for commonly used terms and phrases in certain insurance policies. This bill passed the Assembly but did not move in the Senate.
- A6945(Burdick)/S6551(Mayer): Relates to an individual's right to request a hearing regarding an unemployment insurance benefits claim. This bill passed the Senate but did not move in the Assembly.
- A8463(Bores): Requires policies covering losses or damages from cyberattacks to include a requirement that the insured notify a law enforcement agency. This bill did not move in the Assembly and has no same-as in the Senate.

**NYSBA** saw a number of bills supported by Association policy pass in both houses this session, including:

- Among NYSBA's legislative priorities for 2024 was the passage of [A7241-A\(Lavine\)/S8663\(Hoylman-Sigal\)](#), a bill which would exempt non-electronic notarial acts from the record-keeping rules and regulations set forth by the Department of State.
- [S895-B/A6789-B](#), a bill which requires disclosure of certain social media terms of service. This bill was supported by the Task Force on Combatting Antisemitism and Anti-Asian Hate's [Report](#), adopted by NYSBA's House of Delegates in January 2024.
- [S7524/A10350](#), a bill which would expand current authority for the use of e-filing in the courts. This bill was supported by Committee on Court Structure and Operations' [2012 Report](#) along with the [2023 Report](#) by the Task Force on the Modernization of Criminal Practice.
- [S206-A/A1432-A](#), a bill which removes the lifetime ban on jury duty for convicted felons. This bill is supported by the Task Force on Racism, Social Equity and the Law's [2023 Report](#).
- [S7567-A/A9143](#), a bill to ensure state-paid judges and justices receive death benefits even if they were not retired by the time of their death. [A resolution](#) was adopted by the Association in 2015 to support this policy.
- [S5414/A5366](#), a concurrent resolution to remove the current constitutional cap on the number of supreme court justices, allowing the legislature to set the number of judges as they do for every other court. The Committee on the New York State Constitution supported this issue in their [2017 Report on the Judiciary Article of the NYS Constitution](#).
- [S9839/A10540](#), a bill which increases the number of Family Court judges throughout the state as well as increases the number of judges of the Civil Court of the City of New York. The Committee on Family and the Law's [2022 Report](#) supports this policy.

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