



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

We've come to the end of the 2024, with several actions taken by the Legislature and Executive 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 of 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 2025 legislative session.

### **Legislation of Interest**

#### **Signed by the Governor:**

- A4737-B(Lavine)/S2376-B(Persaud): Adds medical and health insurance information within the definitions of identity theft. This bill was chaptered by the Governor and will go into effect March 2025.
- A5073-A(Hunter)/S7125-A(Breslin): Prohibits mortgagees from requiring mortgagors of certain real property to purchase flood insurance exceeding certain limits. This bill was chaptered by the Governor and goes into effect immediately.
- A8500(Weprin)/S8018(Breslin): Relates to verification of an applicant's New York State driving history when used as a rating or underwriting factor for private passenger motor vehicle insurance. This act shall take effect on the same date and in the same manner as a chapter of the laws of 2023 amending the insurance law relating to using driving history as a rating or underwriting factor for private passenger motor vehicle insurance, as proposed in legislative bills numbers S.5764-B and A. 4668-B, takes effect.
- A9407-A(Weprin)/S9021-A(Breslin): Relates to supplemental spousal liability insurance. This bill was chaptered by the Governor and shall take effect on the one hundred eightieth day after it shall have become a law (9/27/24) and shall apply to policies issued, renewed or modified on or after such date; provided, however that the amendments to subsection (g) of section 3420 of the insurance law made by section one of this act shall be subject to the expiration and reversion of such subsection pursuant to section 2 of chapter 735 of the laws of 2022, as amended.
- A1696-C(Hunter)/S2465-C(Persaud): Requires certain insurance policies allow patients additional screenings for breast cancer when the provider deems such screening is necessary under nationally recognized clinical practice guidelines; repealer. This bill was chaptered by the Governor and will take effect January 1, 2026.
- A2656(Walker)/S201(Cleare): Permits pregnant women to enroll in health insurance during a special enrollment period without penalty. This bill was signed by the Governor and took effect January 1, 2025.

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# UPDATE

- A10342(Burgos)/S9481(Mayer): Relates to business interruption insurance. This bill was chaptered by the Governor and took effect October 2024.
- A8504(Meeks)/S8019(Breslin): Relates to wellness programs under life and accident and health insurance policies. This bill was signed by the Governor and will take effect immediately.

## **Vetoed by the Governor:**

- 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.
- A4721(Solages)/S5137(Gonzalez): Relates to prohibiting a court from denying class certification solely because the action involves governmental operations.
- A1231-A(Lunsford)/S2798-B(Breslin): Relates to contractual liability insurance policies.
- A6126-A(Hunter)/S5242-A(Breslin): Prohibits insurers from reducing disability benefits due to the actual or anticipated receipt of social security disability benefits unless certain conditions are met.
- A8276(Hunter)/S7845(Breslin): Provides for the issuance of pet insurance.
- A10343(Weprin)/S9421(Breslin): Relates to anti-concurrent causation clauses.

## **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.
- 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.



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# UPDATE

- 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.

Updates on Association policy can be found on the Government Relations page [here](#).