



June 25, 2025

The Honorable Kathy C. Hochul,  
Governor of New York State  
Executive Chamber  
State Capitol  
Albany, New York 12224

*Re: Support for S.364 (Gianaris)/A.893 (Rosenthal)*

Dear Governor Hochul,

The New York State Bar Association's Committee on Animals and the Law supports S.364/A.893. This legislation would amend Section 3421 of the Insurance Law, which was signed into law as Chapter 545 of the Laws of 2021 and amended, to clarify its intent, by Chapter 679 of the Laws of 2022. Existing §3421 applies to homeowners insurance policies, and provides certain protections against homeowners' insurance cancellation, limitation or restriction to individuals who own their own homes and have certain breeds of dogs in those homes. The current bill amends §3421 to apply to renters of residential property, and prohibits insurance companies from cancelling, refusing to issue or renew, increasing premiums; or excluding, limiting, restricting, or reducing renters' insurance or coverage based solely upon the breed of dog at the insured property. Currently, §3421 states:

With respect to homeowners' insurance policies as defined in section two thousand three hundred fifty-one of this chapter, no insurer shall refuse to issue or renew, cancel, or charge or impose an increased premium or rate for such policy or contract, or exclude, limit, restrict, or reduce coverage under such policy or contract based solely upon harboring or owning any dog of a specific breed or mixture of breeds. N.Y. Ins. Law §3421.

This bill is simple. It expands the existing protections offered to homeowners and their dogs to include renters with dogs. The bill makes no other changes to Insurance Law §3421.

Current law continues to prohibit insurers from making blanket underwriting decisions which are based solely upon the breed of dog in a particular premises and instead requires that insurers view each applicant individually. This amendment to the Insurance Law does not change that underwriting criterion, for either homeowners or renters, but continues to allow insurers to consider a particular dog's history, protecting the underwriting process, and relating it to the specific risk presented by a particular dog.

It is important that the protective provisions in current law also apply to residential renters in this state. Many landlords require tenants to maintain renters' insurance as a condition of occupying the rental premises, which may be a requirement written into the lease. Anyone who has tried to find a rental property that accepts dogs knows that it is not easy. If a renter is fortunate enough to find such a rental property, the renter often encounters a further obstacle when trying to find insurance policies that do not exclude coverage for dogs based upon breed. It has become common for insurance companies to refuse coverage for a litany of dog breeds, the top ten including Doberman Pinscher, "Pit Bulls,"<sup>1</sup> Rottweilers, Chow Chows, wolf hybrids, Presa Canarios, Akitas, German Shepherds, Huskies and Mastiffs.<sup>2</sup>

In 2021, the Legislature recognized the harm that insurance denials caused to families and dogs and acted to reduce that harm by enacting §3421 of the Insurance Law. This bill puts renters who are seeking insurance on the same footing as owners of homes seeking liability insurance by prohibiting blanket insurance determinations based solely upon the breed of a dog.<sup>3</sup>

For the foregoing reasons, the Committee on Animals and the Law **SUPPORTS** this legislation and urges that it be signed into law. Please do not hesitate to contact NYSBA's General Counsel, David Miranda, who can be reached at [dmiranda@nysba.org](mailto:dmiranda@nysba.org), 518-487-5524, with any questions or for further discussion.

Respectfully,

NYSBA's Committee on Animals and the Law

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<sup>1</sup> Pit bull is a name given to several breeds of dogs which insurers often define to include Bull Terriers, Staffordshire Bull Terriers, American Bull Terriers and American Staffordshire Terriers, or any combination of these breeds. Leefeldt, Ed and Danise, Amy, Forbes Advisor, "Dog Breeds Banned by Home Insurance Companies," <https://www.forbes.com/advisor/homeowners-insurance/banned-dog-breed-lists/>, last visited April 10, 2023.

<sup>2</sup> *Id.*

<sup>3</sup> New York State already prohibits dog breed discrimination by any municipality. N.Y.S. Ag. & Mkts Law §107(5).