

DRAFT LBDC

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A BUDGET BILL submitted by the Governor  
in accordance with Article VII of the Constitution

AN ACT to amend the insurance law, in relation to workers' compensation rate service organizations; and to amend chapter 11 of the laws of 2008, amending the workers' compensation law, the insurance law, the volunteer ambulance workers' benefit law and the volunteer firefighters' benefit law, relating to rates for workers' compensation insurance and setting forth conditions for a workers' compensation rate service organization, in relation to the effectiveness thereof (Part AA);

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

PART AA

1

2 Section 1. Subsection (s) of section 2313 of the insurance law, as  
3 amended by chapter 237 of the laws of 2012, is amended to read as  
4 follows:

5 (s) Notwithstanding any other provision of this article, no rate  
6 service organization may file rates for workers' compensation insurance  
7 after February first, two thousand eight, but a rate service organiza-  
8 tion may file loss costs or other statistical information, including  
9 rating plans, until June second, two thousand [eighteen] twenty-eight.  
10 Notwithstanding subsection (j) of this section, any such rate service  
11 organization shall nonetheless be required to be licensed pursuant to  
12 this section.

13 § 2. Section 16 of chapter 11 of the laws of 2008, amending the work-  
14 ers' compensation law, the insurance law, the volunteer ambulance work-  
15 ers' benefit law and the volunteer firefighters' benefit law, relating

1 to rates for workers' compensation insurance and setting forth condi-  
2 tions for a workers' compensation rate service organization, as amended  
3 by chapter 237 of the laws of 2012, is amended to read as follows:

4 § 16. This act shall take effect February 1, 2008; provided that the  
5 amendments to paragraph 2 of subsection (a) of section 2316 of the  
6 insurance law made by section eleven of this act shall take effect on  
7 the same date that section 68 of chapter 6 of the laws of 2007 takes  
8 effect; provided further that the amendments to section 2316 of the  
9 insurance law made by section eleven of this act shall not affect the  
10 expiration of such section pursuant to section 2342 of the insurance law  
11 and shall be deemed expired therewith; and provided further that section  
12 ten of this act shall expire and be deemed repealed June 2, [2018] 2028.

13 § 3. Subsection (e) of section 2305 of the insurance law, as amended  
14 by chapter 237 of the laws of 2012, is amended to read as follows:

15 (e) The superintendent: (1) by regulation may, in lieu of the waiting  
16 period set forth in subsection (b) of this section, require workers'  
17 compensation insurance rate filings to be specifically approved before  
18 they become effective; and (2) shall hold a public hearing if a rate  
19 service organization makes a loss cost filing for workers' compensation  
20 that is an increase of seven percent or more over the approved loss  
21 costs from the prior year. Until June second, two thousand [eighteen]  
22 twenty-eight, a rate service organization for workers' compensation  
23 shall make a loss cost filing every year on or before June first, or  
24 such earlier date as is set by the superintendent.

25 § 4. This act shall take effect immediately.