



Below are summaries of major provisions in the fiscal year 2026-27 New York State Executive Budget pertaining to property and casualty insurance with the corresponding actions by both houses of the Legislature, based on NYIA’s initial review of the one house budget bills.

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Taxes, Assessments and Fees

Executive: No major increased taxes or fees on the property and casualty insurance industry, which means *no* increase in the premium tax *nor* an extension of the two percent premium tax to cooperatives. In relation to the New York State Department of Financial Services (DFS) budget and the Financial Services Law section 206 assessments, the total DFS budget proposed in the Executive Budget for fiscal year 2027 is \$593,987,000, which represents a 1 percent increase from the last fiscal year. This figure includes an increase to the insurance program portion of DFS’s budget, including an increase of just over 1 percent to DFS’s insurance operations and a 1 percent increase to the sub-allocations. NYIA will be strenuously advocating for the insurance portion of the budget to remain at these proposed figures or decreased.

Assembly: Retained figures from Executive Budget

Senate: Retained figures from Executive Budget

General Insurance

Criminal Penalties of Insurance Fraud: Part F (page 36) of PPGG would expand the definition of “fraudulent insurance act” to include staging a motor vehicle accident and codify specific criteria for the various degrees of insurance fraud and health care fraud. ***NYIA supports.***

Assembly: Omitted (NYIA opposes this omission)

Senate: Omitted (NYIA opposes this omission)

Market-Based Interest Rate on Court Judgements: Part DD (Page 251) of [PPGG](#) would change the interest rate on court judgments paid by both public and private entities from the present legal rate of interest (9 percent) to a market rate of interest (the weekly average one-year constant maturity Treasury yield). *NYIA supports as a priority on our affirmative agenda.*

Assembly: Omitted (NYIA opposes this omission)

Senate: Omitted (NYIA opposes this omission)

Extend the Metropolitan Transportation Authority's Tax Increment Financing

Authorization: Part H (page 25) of [TED](#) would extend the Metropolitan Transportation Authority (MTA) tax from April 1, 2026 to April 1, 2036. The tax applies to employers within the 12-county Metropolitan Commuter Transportation District (MCTD) around New York City.

Assembly: Extends the MTA Tax until 2028, not 2036 as proposed in the Executive.

Senate: Extends the MTA Tax until 2027, not 2036 as proposed in the Executive.

Labeling for AI-Generated Content: Part X (page 91) of [TED](#) would require provenance data on AI-generated content, which mandates users to reveal information such as origin, creation date, and editing of the content. *NYIA opposes.*

Assembly: Omitted (NYIA supports this omission)

Senate: Retained with amendments which introduce new definitions, expands provenance-data requirements for state agencies, and provides additional enforcement authority for the Attorney General. The language also revises terminology around synthetic content systems, adds labeling obligations for large online platforms, and requires capture devices to embed specific identifying information by default. Overall, the changes broaden regulatory scope, strengthen transparency requirements for AI-generated or modified content, and create clearer mechanisms for oversight and penalties. (NYIA opposes these amendments)

Regulation of Data Brokers: Part AA (page 109) of [TED](#) would require that data brokers operating in New York register with an office at the Department of Financial Services, honor requests from consumers via a centralized request submission system to have their 24 personal data deleted, as well as refrain from selling or sharing new personal data, and make certain disclosures on their websites. *NYIA opposes.*

Assembly: Retained with amendments which relocate the Data Accountability Act to Article 42 and significantly revise definitions, removing many existing terms while adding new ones such as “artificial intelligence system or model,” “data broker,” and “foreign adversary country.”

The language further creates new sections establishing jurisdictional thresholds, audit requirements every three years, and pro-rata assessments by DFS to fund enforcement.

The Assembly version retains data-broker registration and deletion mechanisms but eliminates separate consumer deletion-request sections and removes the statute of limitations from the Governor’s original bill. (NYIA opposes these amendments)

Senate: Retained with amendments which adds a new Section 1806 requiring data brokers to implement a comprehensive information security program with administrative, technical, and physical safeguards. The language would further mandate specific controls such as secure authentication protocols, encryption, system monitoring, firewalls, and incident-response documentation. (NYIA opposes these amendments)

Premium Increase Explanations: Part BB (page 148) of [TED](#) would require insurers subject to Article 23 of the Insurance Law to include the amount a premium will increase from a prior policy period, and an explanation of why the increase occurred, prior to renewal when the premiums associated with a homeowners or automobile insurance policy increase by more than 10 percent. Additionally, specific language would be required on premium bills or declaration pages that will inform consumers of their right to request a written explanation for any premium increase. Upon receiving a written request for a premium increase explanation, the insurance company would be required to respond to the insured within twenty days. **NYIA opposes.**

Assembly: Omitted (NYIA supports this omission)

Senate: Amended to mirror Section 2 of [S9281](#) (Skoufis). Unlike the executive proposal, there is no percentage threshold in which the notice would apply. If rates go up *by any percentage*, a notice is required under the provisions. Also, unlike the executive proposal, there is no requirement for insureds to request a written explanation or for the carrier to respond within 20 days. (NYIA opposes these amendments)

Auto Insurance and Roadway Safety

Reducing Unnecessary Litigation: Part EE (page 156) of [TED](#) would delete the 90/180 day rule from the definition of serious injury; cap non-economic damages at \$100,000 to uninsured motorists, individuals convicted of driving while impaired, and individuals committing a felony or fleeing one at the time of the accident; only allow for non-economic damages if a plaintiff is not primarily at fault for the accident by implementing a modified comparative negligence standard; and ensure that defendants in multi-party personal injury auto cases are held responsible only for the damage they cause, not damages caused by other unrelated defendants, by providing for several liability in car accident cases. **NYIA supports.**

Assembly: Omitted (NYIA opposes this omission)

Senate: Omitted (NYIA opposes this omission)

Motor Vehicle Theft and Fraud Prevention Board: Part G (Page 41) of the [PPGG](#) would update the Board's composition and administrative procedures, adapt its duties, and clarify the DCJS Commissioner's authority as Chair, and revise reporting timelines to allow DCJS to receive necessary data.

Assembly: Omitted

Senate: Omitted

Extend the Internet Point Insurance Reduction Program: Part B (page 8) of [TED](#) would extend the internet point insurance reduction program from April 1, 2026 to April 1, 2028.

Assembly: Retained

Senate: Retained

Strengthen Motorcycle Licensing Standards for New and Inexperienced Riders: Part C (page 8) of [TED](#) would require those applying for a motorcycle license to complete a motorcycle rider safety course.

Assembly: Omitted

Senate: Retained

Stop New York City's Super Speeders through Intelligent Speed Assistance: Part D (page 9) of [TED](#) would allow cities with populations of one million or more to establish an intelligent speed assistance device pilot program. The program could require those with repeat convictions of speeding to install technologies in their car that limit the speed of the vehicle.

Assembly: Omitted

Senate: Retained with amendments that mirror [S4045C](#) (Gounardes)

Autonomous Vehicle Technology Demonstrations: Part E (page 11) of [TED](#) would exempt for-hire autonomous vehicles from operating a motor vehicle without having at least one hand on the steering mechanism and defines for-hire autonomous vehicles.

Assembly: Modified to be a straight extender of the autonomous vehicle testing program.

Senate: Modified to be a straight extender of the autonomous vehicle testing program.

Expand the Automated Work Zone Speed Enforcement Program: Part G (page 20) of [TED](#) would expand the Automated Work Zone Speed Enforcement Program to highways. The part further defines highways.

Assembly: Omitted

Senate: Retained

Dashboard Camera Premium Reductions for Automobile Insurance: Part II (page 173) of [TED](#) would require automobile insurance companies to offer an actuarially justified premium discount for an insured driver who equips their vehicle with a dashboard camera, pursuant to certain verification requirements. *NYIA opposes.*

Assembly: Omitted (NYIA supports this omission)

Senate: Retained with amendments which provide data privacy protections to consumers to ensure that the information collected by the dashcam is for the exclusive use of the insurer for the benefit of the policyholder. (NYIA opposes these amendments)

Extend the Excess Profit Law for Automobile Insurance: Part KK (page 181) of [TED](#) would extend the automobile insurance provisions regarding excess profits for an additional three years, until June 30, 2029. *NYIA is neutral as this provision is written as a straight extender.*

Assembly: Omitted (NYIA is neutral on the omission)

Senate: Retained (NYIA is neutral on the retention)

Strengthening Insurer Anti-Fraud Programs: Part FF (page 158) of [TED](#) would extend from 30 to 60 days the amount of time an insurer has to report suspected fraud to DFS, and would clarify the right of an insurer to deny a claim or assert a defense after the 30-day payment requirement when fraud is suspected (These provisions would overrule *Presbyterian Hospital v. Maryland Casualty Co.*, 90 N.Y.2d 274, 660 N.Y.S.2d 536 (1997)). *NYIA supports.*

Assembly: Omitted (NYIA opposes this omission)

Senate: Omitted (NYIA opposes this omission)

Medical Liability Insurance

Excess Physician's Medical Malpractice: Part D (Page 159) of the [HMH](#) would amend chapter 266 of the Laws of 1986, to extend the Excess Medical Malpractice program, but would restructure the payments under such program to defer half of current year payment obligations to the following year, effectively halving the program cost for the state for the current year. By doing so the cost of this expense would be transferred to the physicians and providers of the state, dramatically increasing their costs of coverage. Additionally, this bill would further seek to recoup recurring savings for the state by restructuring the outyear payments to also be reduced by half. This bill shifts the cost of this program from New York State to physicians, thereby making retention and recruitment of these medical professionals more difficult and undermining the very purpose of the Physician's Excess Medical Malpractice program. *NYIA opposes.*

Assembly: Modified so it is a straight extender of the program. (NYIA supports)

Senate: Modified so it is a straight extender of the program. (NYIA supports)

Medical Indemnity Fund Reimbursement Rates: Part I (page 196) of the [HMH](#) would set reimbursement rates to 100 percent of the Medicare rate of reimbursement for qualifying health care costs, or, if no Medicare rate of reimbursement is available, 100 percent of the Medicaid rate of reimbursement, or, if there is no Medicare or Medicaid rate of reimbursement, a rate determined by the Commissioner of Health.

Assembly: Omitted

Senate: Modified to create an office of a state medical indemnity fund ombudsmen and medical indemnity fund advisory panel to investigate plaintiff complaints. (NYIA is seeking feedback from members)

Property Insurance

Homeowners' Insurance Loss Ratio Benchmark: Part CC (page 150) of [TED](#) would require homeowner insurers subject to Article 23 of the Insurance Law who meet certain requirements to refile their rates with DFS, for prior approval, if the insurer had a loss ratio below a specific benchmark that would be established for the prior two calendar years. The bill would authorize the Superintendent of DFS to conduct a study to analyze and determine a benchmark loss ratio for homeowners insurance companies. ***NYIA strongly opposes.***

Assembly: Omitted (NYIA supports this omission)

Senate: Amended to increase the benchmark window to three years and provide that DFS should conduct the study within a year of the effective date. (NYIA opposes these amendments)

Automatic Property Insurance Premium Reductions: Part DD (page 151) of [TED](#) would require insurers subject to Article 23 of the Insurance Law, to offer an actuarially justified premium discount to homeowners and commercial property owners who make improvements to their property that contribute to the safety and security of the insured structures, such as smart water monitors and roof improvements. ***NYIA opposes.***

Assembly: Omitted (NYIA supports this omission)

Senate: Retained (NYIA opposes this retention)

Reporting Requirements for Insurers of Multi-Family Housing: Part GG (page 159) of [TED](#) would require insurers who issue certain policies to residential properties that contain two or more dwelling units to file a report with DFS by March 1 each year. The contents of the report must, at a minimum, include information on collected premiums and claims paid, and be publicly posted on DFS' website. ***NYIA opposes.***

Assembly: Omitted (NYIA supports this omission)

Senate: Retained (NYIA opposes this retention)

Workers Compensation Insurance

Workers Compensation Fraud Units: Part W (Page 210) of the [PPGG](#) would permit the Workers' Compensation Board to assess and collect funding from businesses for grants to district attorneys' offices to establish and maintain dedicated workers' compensation fraud units.

Assembly: Omitted

Senate: Amended to mirror [S7950A](#) (Bailey) to create a fraud assessment commission to set a fraud assessment on employers. The assessment shall not greater be greater than 0.4 percent for workers compensation fraud investigation and prosecution and shall be deposited into the workers compensation fraud investigation and prosecution fund.

Increase Access to Medical Care for Injured Workers: Part X (Page 211) of the [PPGG](#) would permit all eligible, licensed New York State medical providers in good standing to treat workers compensation patients. ***NYIA opposes.***

Assembly: Omitted (NYIA supports this omission)

Senate: Amended to increase the threshold for prior authorization to \$1,500, as proposed by [S6217](#) (Fernandez), allow claimants' counsel and representatives to communicate with their clients' providers/consultants, without having their provider's/consultant's opinion precluded, as proposed by [S4518](#) (Ramos), and authorizes the Workers' Compensation Board to promulgate regulations to require training for providers not previously authorized to treat injured workers, require carriers to reimburse providers at rates determined by the public health law for record, and prohibit preclusion of providers' reports on the basis that they failed to appear for a deposition. (NYIA opposes these amendments)

New Proposals Included in the Senate One House

Increased Workers Compensation Penalties: New Part MM of ELFA (Page 108 [S9006B](#)). The Senate advanced language that would allow the Superintendent of the Department of Financial Services to impose up to a \$2,500 penalty on *each* violation of the workers compensation law. The language was based on [S172](#) (Ramos). (NYIA opposes)

Expansion of Workers Compensation Claimant Right: New Part RR of PPGG (Page 174 of [S9005B](#)). The Senate advanced language that would diminish the time the Workers' Compensation Board has to index a claim and hold hearings. The proposal also prohibits the limitations, prerequisites, and penalties on applications for hearings. The language was based on [S2234](#) (Ramos). (NYIA opposes)

Penalties for Speeding in Work Zone: New Part DDD of TED (Page 155 of [S9008B](#)). The Senate advanced language that would increase monetary penalties for drivers convicted of speeding in a work zone and failing to move over when legally required. The language is based on [S4649A](#) (Cooney). (NYIA supports)

Increased Penalties for Restricted Highway Speeding and Work Zone Speeding: New Part EEE of TED (Page 155 of [S9008B](#)). The Senate advanced language that would increase monetary penalties for drivers convicted of speeding in a restricted highway zone and work zone. The language is based on [S4647A](#) (Cooney). (NYIA supports)

Office of Digital Innovation, Governance, Integrity, and Trust: New Part HHH of TED (Page 157 of [S9008B](#)). The Senate advanced language that would create a new Office of Digital Innovation, Governance, Integrity, and Trust within DFS, responsible for registering AI developers and data brokers and maintaining public registries. The office would guide consumers, manage a statewide inventory of automated decision-making systems, and develop AI governance policies, risk management plans, and oversight standards for state agencies. It would also handle reporting of AI safety incidents and support the Attorney General and other state entities in protecting consumers. (NYIA is seeking member feedback)

Adjudication for Violation of Stop Arm School Buses and Work Zone Speed Cameras: New Part OOO of TED (Page 172 of [S9008B](#)). The Senate advanced language to clarify the

adjudication process for violations issued for the school bus stop-arm program and the work zone speed camera program. The language is based on [S7955A](#) (Cooney). (NYIA supports)