



NEW YORK STATE SENATOR

Michael Gianaris

## Deputy Leader Gianaris Announces Senate To Pass His Legislation Preventing Insurance Discrimination Based On Animal Breeds

MICHAEL GIANARIS June 8, 2021

| ISSUE: **BREED INSURANCE, DOMESTIC ANIMAL WELFARE, INSURANCE, PETS, DOGS**



ALBANY – Senate Deputy Leader Michael Gianaris announced the Senate will advance his [legislation \(S.4254\)](#) prohibiting insurers from increasing rates or denying insurance coverage based on different dog breeds.

“People should never be forced to choose between an affordable place to live and the pets who are members of their families,” said **Senate Deputy Leader Michael Gianaris**. “This

proposal would make it easier for New Yorkers to give good homes to even more animals in need.”

Our pets are members of our families, and insurance companies should not get a say in what dogs are acceptable for us to adopt. By preventing insurers from relying on incorrect breed-specific generalizations, this legislation will make homeowners insurance rates more fair, and will make it easier for more dogs to find a loving home. I look forward to this bill's passage in the Assembly,” said **Assembly Member Deborah J. Glick**, who sponsors the bill in the state Assembly.

Currently, many providers of homeowners’ insurance will either not insure or charge higher rates for people who have certain breeds of dogs in their homes.

New York has long prohibited the enactment of state and local laws regulating dog ownership based on the breed of dog owned, acknowledging the broad consensus that breed restrictions are an ineffective and inaccurate means of preventing dog-related risks and relying instead on objective facts in determining if individual dogs pose public risks. Unfortunately, this longtime prohibition does not forbid breed restrictions in homeowner’s insurance policies, which in many cases, create a de facto dog ban for families since homeowner’s insurance is required for any home mortgage.

There is no statistical correlation between dog breeds and bite incidents. Dog behavior is more a function of training than breeding.

**Senator Neil Breslin, Insurance Committee Chair**, said “Policies that discriminate against particular dog breeds are ineffective and unfairly punish responsible dog owners and good dogs. Responsible pet owners should not have to choose between a beloved family companion and adequate insurance coverage for their home.”

**Bill Ketzer, Senior Director of State Legislation for the ASPCA, Eastern Division** said, “During a time of unprecedented housing challenges for New Yorkers, the cost and availability of insurance has become an even bigger barrier to homeownership for families with pets. This measure will finally stop insurance companies from denying families coverage simply because they own a specific breed of dog and remove housing barriers for responsible New York dog owners. We are thrilled to see the Senate pass this bill, and look forward to working with Senator Gianaris and Assembly Member Glick to advance it through the full Legislature to better protect pets and people across the state.”

**Brian Shapiro, New York State Director for the Humane Society of the United States** said, “For years, responsible dog owners have been unfairly denied homeowners insurance because of their dog’s breed. With this legislation, insurance companies will base policies on actual risk, rather than outdated breed stereotypes. Senator Gianaris has championed this bill at the right time and for the right reason. New York needs help, and failed policies that discriminate have no place in our state.”

**Libby Post, Executive Director of the NYS Animal Protection Federation (NYSAPF)**, the advocacy voice of the state’s animal shelters, said, “Every time New York’s stops discrimination it is a step toward a more equitable state. Senator Gianaris’ bill to stop insurance discrimination based on the breed of a policyholder’s dog ends one of the most unfair injustices pet owners are subjected to by insurance companies. Families want to give loving homes to their pets. Insurance companies routinely stand in the way by denying homeowners insurance or charging exorbitant premiums if you own a breed that the insurers consider aggressive—like Pit Bulls, German Shepherds, Rottweilers or Great Danes. This bill has been one of the Federation’s top priorities because this discrimination is unfounded and based on sensationalized media coverage of dog bites. You only see the stories about a Pit biting someone, you never read about the Chihuahua that also has a propensity to bite. Pet owners are forced to make a Solomon-like choice—insuring your home or loving your dog. All too

often, people are forced to give up their beloved dogs. Where do they end up? In animal shelters across the state. This is one more example of how the state's animal shelters step up to care for animals left homeless through no fault of their own." **The NYSAPF published this white paper about the need for Senator Gianaris' legislation.**

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#### RELATED LEGISLATION

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### 2021-S4254

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- Introduced
- - In Committee Assembly
  - In Committee Senate
- - On Floor Calendar Assembly
  - On Floor Calendar Senate
- - Passed Assembly
  - Passed Senate
- Delivered to Governor
- Signed By Governor
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Prohibits insurers from refusing to issue or renew, cancel, or charge or impose an increased premium for certain policies based solely on the breed of dog owned

February 03, 2021

Signed by Governor

Sponsored by Michael Gianaris

Do you support this bill?