

Guidance on application questions regarding criminal convictions (New York only)

New York recently provided guidance to all insurers regarding cannabis-related criminal convictions and underwriting. This includes important guidance regarding application questions related to arrests or convictions.

New York categorizes criminal actions, and certain categories should not be considered by insurers.

Application questions related to arrests or convictions should be answered "No" if any of these categories apply to the applicant:

- 1. An arrest or criminal accusation not pending against a person that has been terminated in the person's favor.**
 - For example, expunged convictions, dismissals, acquittals, prosecutors electing not to prosecute, etc.
 - These records should be sealed, but there are exceptions.
- 2. An "order adjourning the criminal action in contemplation of dismissal" and has not been restored to the court's calendar for further prosecution.**
 - For example, the court currently plans to ultimately dismiss the action, but a certain time period, is provided for the court to reconsider dismissing the action and restore the case.
 - Status must be specifically granted by the court
- 3. A "youthful offender adjudication."**
 - I.e., for certain crimes committed when either (1) the individual was at least 16 but younger than 19 or (2) a "juvenile offender."
 - Status must be specifically granted by the court
 - These records should be sealed, but there are exceptions.
- 4. Sealed convictions.**

Again, application questions related to arrests or convictions should be answered "No" if any of the above categories apply to the applicant.

Questions? We're here to help.

Please contact your Corebridge underwriter with any questions about these criminal statuses.

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