Executive Order No. 17 Local Government Mandate Evaluation
Impact on Local Government and Property Taxpayers

Submitting Agency: Department of Financial Services

NYCRR Citation: 11 NYCRR 98 and 100 (Insurance Regulations 147 and 179)

Description of the Regulation: Valuation of Life Insurance Reserves; Recognition of the
2001 CSO Mortality Table and the 2017 CSO Mortality Table for Use in Determining
Minimum Reserve Liabilities and Nonforfeiture Benefits and Recognition and Application of
Preferred Mortality Tables for Use in Determining Minimum Reserve Liabilities

Statutory Authority for the Regulation: Financial Services Law Sections 202 and 302 and
Insurance Law Sections 301, 1304, 1308, 4217, 4218, 4221, 4224, 4240, and 4517

Agency Contact: Amanda Fenwick

Telephone: (518) 474-7929 Email: amanda.fenwick@dfs.ny.gov

1. Does the regulation impose a mandate on a county, city, town, village, school district or
special district that requires such entity to:

   a. Provide or undertake any program, project or activity;
      Yes ☐ No ☒

   b. Increase spending for an existing program, project or activity (even if such
      program, project or activity is voluntarily undertaken by a local government unit);
      Yes ☐ No ☒

   c. Grant any new property tax exemption, or broaden the eligibility or increase the
      value of any existing property tax exemption; or
      Yes ☐ No ☒

   d. Carry out a legal requirement that would likely have the effect of raising property
      taxes.
      Yes ☐ No ☒

If the answer to all questions above are “no,” ensuring the regulation will not result in a mandate
on local governments and property taxpayers, an accounting and the approval of the Office for
Taxpayer Accountability are not required. If the answer to any question above is “yes,” and the
regulation may have a fiscal impact on local governments and property taxpayers, please proceed
to items 2 – 3.
2. Is the mandate required by federal law or regulation or state law?

   Yes ☐  No ☐

   a. If yes, please cite the specific provision in the statute or federal regulation.

   b. If yes, please describe any elements of the regulation not specifically mandated by 
      the statute or regulation.

3. If any portion of the mandate is not required by federal or state law, please attach to 
this Checklist an Accounting for such portion containing:*

   ☐ a. A description of the mandate in the regulation;

   ☐ b. An accounting of the impacts of such mandate that includes:

      (i) A fiscal impact statement;

      (ii) A cost-benefit analysis, which includes:

          (x) a specific delineation of the costs and benefits to local governments and 
              property taxpayers; and

          (y) a quantification of the impact on local government revenue and 
              expenditures, where such impact is quantifiable based on available 
              information (please consult with the Governor’s Office of Regulatory 
              Reform if further guidance is needed);

   ☐ c. A description of input sought and received from affected local governments;

   ☐ d. A description of the proposed revenue sources to fund such mandate; and

   ☐ e. An explanation as to why this regulation should be advanced with a mandate.

*Note: The “Regulatory and Flexibility Analysis for Small Businesses and Local 
Governments” may be attached so long as the items set forth in 3 above are fully accounted 
for in the Analysis.

4. To be answered by the Deputy Secretary and Governor’s Counsel:

   Is the cost impact of the mandate negligible?

   Deputy Secretary: (name)

   Yes ☐  No ☐

   Governor’s Counsel: (name)

   Yes ☐  No ☐