



March 27, 2020

Honorable Andrew M. Cuomo
Governor of New York State
NYS State Capitol Building
Albany, NY 12224

Honorable Andrea Stewart-Cousins
NYS Senate Majority Leader
188 State Street Room
Legislative Office Building
Albany, NY 12247

Honorable Carl E. Heastie
NYS Speaker of the Assembly
907 LOB 932
Albany, NY 12248

Re: Business Interruption Assistance Funds For COVID-19 Related Losses

Dear Governor Cuomo, Senate Majority Leader Stewart-Cousins & Speaker Heastie:

We write your offices on behalf of Long Island's major economic development organizations, the Association for a Better Long Island and the Long Island Builders Institute, to urge you to pass legislation or enact an Executive Order that would create business interruption funding for COVID-19 related losses.

Covid-19 has had a significant impact on Long Island's economy, affecting both small and large businesses on Long Island. The economic impact of COVID19 is yet to be fully known. We are currently in a state of emergency, where numerous business are required to close and companies are required to reduce their in office workforce by 100%. Many of these businesses will not be able to reopen or forced to drastically reduce staffing unless financial assistance is available.

Unfortunately, we are advised that most business insurance policies will not cover loses during the current COVID-19 pandemic. Insurers narrowly and skillfully define "covered perils" within their policies to protect themselves from such events. And even if there may arguably be coverage under an insuring agreement, many policies contain exclusions for loss or damage caused by virus or communicable disease, as well as civil authority exclusions for government-ordered mandatory closures.

It is imperative that New York State legislatively or enact Executive Order to address this issue now so small and large businesses can obtain the funding necessary to reopen when the Executive Order is lifted. Currently, we are advised that such legislation is being considered in the New Jersey Legislature, A-3844, and there is a previously New York State bill, SB 3499, introduced in 2019, that could provide the framework for such change in New York. A more direct option, that would not face legal challenges and provide funds more expeditiously, would be the creation of a Business Interruption Recovery Fund.

The Association For a Better Long Island and Long Island Builders Institute urge you to pass legislation or enact Executive Order that would address business interruption losses caused by the COVID-19 pandemic.

Sincerely,



Kyle Strober, Executive Director
Association for a Better Long Island



Mitch Pally, CEO
Long Island Builders Institute

cc: LI NYS Senate Delegation
LI NYS Assembly Delegation