

3869

2011-2012 Regular Sessions

I N   S E N A T E

March 8, 2011

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Introduced by Sen. AVELLA -- read twice and ordered printed, and when printed to be committed to the Committee on Investigations and Government Operations

AN ACT to amend the tax law, in relation to enacting the "homeowner mortgage refinance relief act"

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

1     Section 1. Short title. This act shall be known and may be cited as  
2     the "homeowner mortgage refinance relief act".  
3     S 2. The tax law is amended by adding a new section 253-y to read as  
4     follows:  
5     S 253-Y. EXEMPT MUNICIPAL MORTGAGE TAX FOR REFINANCES. 1. EVERY MUNI-  
6     CIPALITY WHICH HAS ENACTED A LOCAL MORTGAGE TAX OR RECORDING TAX PURSU-  
7     ANT TO THE PROVISIONS OF THIS ARTICLE SHALL GRANT AN EXEMPTION UP TO THE  
8     AMOUNT OF THE ORIGINAL MORTGAGE FROM SUCH TAX WHERE THE MORTGAGOR IS  
9     REFINANCING HIS OR HER REAL PROPERTY.  
10    2. THE COMMISSIONER SHALL PROMULGATE NECESSARY AND ADVISABLE RULES AND  
11    REGULATIONS TO ESTABLISH GROUNDS FOR QUALIFICATIONS, PROOF AND PROCEDURE  
12    NECESSARY FOR A MORTGAGOR TO OBTAIN SUCH EXEMPTION.  
13    S 3. This act shall take effect immediately; provided, however, that  
14    effective immediately, the addition, amendment and/or repeal of any rule  
15    or regulation necessary for the implementation of this act on its effec-  
16    tive date are authorized and directed to be made and completed on or  
17    before such effective date.

EXPLANATION--Matter in ITALICS (underscored) is new; matter in brackets  
[ ] is old law to be omitted.

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