S T A T E O F N E W Y O R K

5191

2009-2010 Regular Sessions

I N A S S E M B L Y

February 11, 2009

Introduced by M. of A. ALESSI -- Multi-Sponsored by -- M. of A. ZEBROWSKI -- read once and referred to the Committee on Judiciary

AN ACT to amend the real property law, the agriculture and markets law and the real property tax law, in relation to required signature and filing of disclosure notices with real property sold in agricultural districts

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

Section 1. Subdivision 3 of section 333-c of the real property law, as amended by chapter 411 of the laws of 1998, is amended to read as follows:

3. Failure of the seller to provide such information to the buyer AND TO PROVIDE A SIGNED DISCLOSURE NOTICE TO A RECORDING OFFICER shall [not] prevent the recording officer from filing such deed.

S 2. Clause 5 of paragraph ii of subdivision 1-e of section 333 of the real property law, as amended by section 1 of part B of chapter 57 of the laws of 2004, is amended to read as follows:

(5) a statement indicating whether the parcel is located in an agricultural district and, if so, [whether] a SIGNED disclosure notice [has been provided] pursuant to section three hundred thirty-three-c of this article and section three hundred ten of the agriculture and markets law;

S 3. Subdivision 2 of section 310 of the agriculture and markets law, as amended by chapter 411 of the laws of 1998, is amended to read as follows:

2. [Receipt of such] A SIGNED disclosure notice shall be recorded on a property transfer report form prescribed by the state board of real property services as provided for in section three hundred thirty-three of the real property law.

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

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S 4. Paragraph (e) of subdivision 1 of section 574 of the real property tax law, as amended by chapter 411 of the laws of 1998, is amended to read as follows:

(e) a statement whether the parcel is in an agricultural district and, if so, [whether] a SIGNED disclosure notice [has been provided] pursuant to section three hundred thirty-three-c of the real property law and section three hundred ten of the agriculture and markets law;

S 5. This act shall take effect immediately.