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

2601

2009-2010 Regular Sessions

I N S E N A T E

February 25, 2009

Introduced by Sens. FLANAGAN, MAZIARZ, MORAHAN, VOLKER -- read twice and ordered printed, and when printed to be committed to the Committee on Local Government

AN ACT to amend the county law, the real property law, and the civil practice law and rules, in relation to a standardized cover page fee to be charged by county clerks and prohibiting a county clerk's office from accepting any document which includes unnecessary personal identification information

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

Section 1. The county law is amended by adding a new section 528-a to read as follows:

S 528-A. DOCUMENTS WITH PERSONAL IDENTIFYING INFORMATION. NOTWITHSTANDING ANY OTHER PROVISION OF LAW, A COUNTY CLERK'S OFFICE SHALL NOT RECORD OR ACCEPT FOR RECORDING ANY DOCUMENT THAT INCLUDES PERSONAL IDENTIFYING INFORMATION OF ANY PERSON WHICH IS NOT REQUIRED BY STATE OR FEDERAL LAW. IT IS HOWEVER THE RESPONSIBILITY OF THE PERSON FILING THE DOCUMENT TO OMIT PERSONAL IDENTIFYING INFORMATION WHICH IS NOT REQUIRED BY STATE OR FEDERAL LAW.

S 2. Section 333 of the real property law is amended by adding a new subdivision 1-g to read as follows:

1-G. AFTER SEPTEMBER FIRST, TWO THOUSAND NINE A RECORDING OFFICER SHALL NOT RECORD OR ACCEPT FOR RECORDING ANY CONVEYANCE WHICH CONTAINS A DRIVER'S LICENSE NUMBER, CREDIT CARD ACCOUNT NUMBER, BANK ACCOUNT NUMBER, A COMPLETE DATE OF BIRTH, OR MORE THAN FOUR DIGITS OF A PERSON'S SOCIAL SECURITY NUMBER.

S 3. The civil practice law and rules is amended by adding a new section 8021-a to read as follows:

S 8021-A. COVER PAGE FEES OF COUNTY CLERKS. (A) AMOUNT OF FEE. A COUNTY CLERK IS ENTITLED, FOR ANY DOCUMENT SUBMITTED FOR RECORDING THAT

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

LBD06544-01-9

REQUIRES A COVER PAGE, TO A NON-REFUNDABLE FEE OF TEN DOLLARS, PAYABLE IN ADVANCE.

(B) EXEMPTION FROM COVER PAGE FEE. NO FEE SHALL BE CHARGED FOR A COVER PAGE IN ANY COUNTY CLERK'S OFFICE WHERE SUCH COVER PAGE IS NOT AUTHORIZED OR REQUIRED.

(C) ERIE COUNTY. SUBDIVISION (A) OF THIS SECTION SHALL NOT APPLY TO THE COUNTY OF ERIE, WHERE THE COUNTY CLERK IS ENTITLED, FOR ANY DOCUMENT SUBMITTED FOR RECORDING THAT REQUIRES A COVER PAGE, TO A NON-REFUNDABLE FEE OF FIFTEEN DOLLARS, PAYABLE IN ADVANCE.

S 4. This act shall take effect on the first of September next succeeding the date on which it shall have become a law.