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

2557

2011-2012 Regular Sessions

I N A S S E M B L Y

January 19, 2011

Introduced by M. of A. P. RIVERA, RAMOS, J. RIVERA, MAISEL, COLTON, BENEDETTO, ORTIZ, MILLMAN, MOLINARO, FINCH, ROBINSON -- Multi-Sponsored by -- M. of A. COOK, PHEFFER, REILLY, N. RIVERA, THIELE -- read once and referred to the Committee on Ways and Means

AN ACT to amend the tax law, in relation to exempting from the tax on mortgages, any mortgage which replaces an adjustable rate mortgage which initially had a rate of interest below the prime rate

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

Section 1. Subdivision 2 of section 250 of the tax law is amended by adding a new paragraph (c) to read as follows:

(C) SUCH TERM SHALL NOT INCLUDE ANY MORTGAGE OR DEED OF TRUST WHICH IMPOSES A LIEN ON OR AFFECTS THE TITLE TO REAL PROPERTY, WHEN SUCH MORTGAGE OR DEED OF TRUST REPLACES A PREVIOUS MORTGAGE OR DEED OF TRUST:

(I) RELATING TO THE SAME PARCEL OF REAL PROPERTY;

(II) WHEN THE OWNERS OF SUCH REAL PROPERTY REMAIN THE SAME; AND

(III) THE MORTGAGE OR DEED OF TRUST, WHICH WAS REPLACED, HAD AN ADJUSTABLE RATE OF INTEREST THAT WAS INITIALLY BELOW THE PRIME RATE.

S 2. This act shall take effect immediately.

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

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