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

2106

2013-2014 Regular Sessions

I N A S S E M B L Y

(PREFILED)

January 9, 2013

Introduced by M. of A. KAVANAGH, STEVENSON -- Multi-Sponsored by -- M. of A. JAFFEE -- read once and referred to the Committee on Election Law

AN ACT to amend the real property law, in relation to providing purchasers and sellers of residential real property and cooperative apartments with voter registration forms at closing

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

Section 1. The real property law is amended by adding a new section 262 to read as follows:

S 262. VOTER REGISTRATION FORMS. 1. FOR PURPOSES OF THIS SECTION, THE TERM "CLOSING" SHALL MEAN AN IN-PERSON MEETING TO COMPLETE FINAL DOCUMENTS INCIDENT TO THE PURCHASE AND SALE OF RESIDENTIAL REAL PROPERTY AND COOPERATIVE APARTMENTS, AND THE TERM "SETTLEMENT AGENT" SHALL MEAN THE LENDER IN A NON-CASH TRANSACTION, THE TITLE COMPANY IN A CASH TRANSACTION AND THE MANAGING AGENT IN A COOPERATIVE APARTMENT TRANSACTION.

2. EVERY PURCHASER OR SELLER OF REAL PROPERTY IN ATTENDANCE AT A CLOSING HELD WITHIN THIS STATE SHALL BE PROVIDED WITH ANY FORMS NECESSARY TO COMPLY WITH THE VOTER REGISTRATION REQUIREMENTS SET FORTH IN ARTICLE FIVE OF THE ELECTION LAW, EXCEPT FOR SELLERS WHO ARE MOVING OUT OF NEW YORK STATE. IF SUCH PURCHASER OR SELLER SHALL NOT BE IN ATTENDANCE AT SUCH CLOSING, SUCH FORMS SHALL BE PROVIDED TO THE REPRESENTATIVE OF SUCH PURCHASER OR SELLER.

3. THE PROVISION OF FORMS REQUIRED BY SUBDIVISION TWO OF THIS SECTION SHALL BE MADE BY THE SETTLEMENT AGENT WITHOUT COST OR CHARGE TO THE PURCHASER OR SELLER.

4. EACH COUNTY BOARD OF ELECTIONS IS HEREBY AUTHORIZED AND DIRECTED TO COOPERATE WITH SETTLEMENT AGENTS TO CARRY OUT THE PURPOSES OF THIS SECTION.

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

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S 2. The real property law is amended by adding a new section 238-a to read as follows:

S 238-A. VOTER REGISTRATION FORMS. 1. EVERY TENANT WHO ENTERS INTO A LEASE TO RENT RESIDENTIAL REAL PROPERTY LOCATED WITHIN THIS STATE SHALL BE PROVIDED WITH ANY FORMS NECESSARY TO COMPLY WITH THE VOTER REGISTRATION REQUIREMENTS SET FORTH IN ARTICLE FIVE OF THE ELECTION LAW. SUCH FORMS SHALL BE PROVIDED BY THE LANDLORD OR THE LANDLORD'S REPRESENTATIVE AT THE TIME SUCH LEASE IS SIGNED AND DELIVERED BY THE LANDLORD OR THE LANDLORD'S REPRESENTATIVE TO THE TENANT OR THE TENANT'S REPRESENTATIVE, WHETHER IN PERSON OR BY MAIL.

2. EACH COUNTY BOARD OF ELECTIONS IS HEREBY AUTHORIZED AND DIRECTED TO MAKE AVAILABLE TO PERSONS WHO RENT RESIDENTIAL REAL PROPERTY IN THIS STATE ALL FORMS NECESSARY FOR COMPLIANCE WITH THE PROVISIONS OF THIS SECTION.

S 3. This act shall take effect on the thirtieth day after it shall have become a law.