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

1268

2013-2014 Regular Sessions

I N S E N A T E

(PREFILED)

January 9, 2013

Introduced by Sen. PERKINS -- read twice and ordered printed, and when printed to be committed to the Committee on Judiciary

AN ACT to amend the real property law, in relation to clarifying information collected on a real property transfer form

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

Section 1. Subparagraphs 7 and 8 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, are amended and two new subparagraphs 9 and 10 are added to read as follows:

(7) in the event the parcel conveyed by such deed is a portion of the parcel owned by the transferor or transferors, a statement indicating whether the city, town or village in which such property is situated has a planning board or other entity empowered to approve subdivisions; [and]

(8) in the event such planning board or other entity is empowered to approve subdivisions, a statement indicating whether the parcel conveyed by such deed is (a) not subject to such subdivision approval or (b) such subdivision has been approved by the respective city, town or village planning board or other entity empowered to approve subdivisions[.];

(9) IN THE EVENT THAT THE PURCHASER IS (A) AN INDIVIDUAL, A LIMITED LIABILITY COMPANY, SOCIETY, ASSOCIATION, JOINT STOCK COMPANY, CORPORATION, ESTATE, RECEIVER, TRUSTEE, ASSIGNEE, REFEREE, OR ANY OTHER PERSON ACTING IN A FIDUCIARY CAPACITY, AND (B) THE PROPERTY BEING PURCHASED IS LOCATED IN THIS STATE, THE NAME AND PLACE OF BUSINESS OF THE COMPANY, SOCIETY, ASSOCIATION, JOINT STOCK COMPANY, CORPORATION, ESTATE, RECEIVER, TRUSTEE, ASSIGNEE, REFEREE, OR ANY OTHER PERSON ACTING IN A FIDUCIARY CAPACITY, THE NAME OF A RESPONSIBLE PARTY WHO HAS AN INTEREST IN THE COMPANY, SOCIETY, ASSOCIATION, JOINT STOCK COMPANY, CORPORATION, ESTATE, RECEIVER, TRUSTEE, ASSIGNEE, REFEREE, OR ANY OTHER

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

LBD02708-01-3

PERSON ACTING IN A FIDUCIARY CAPACITY, AND A PHONE NUMBER WHERE SUCH RESPONSIBLE PARTY MAY BE CONTACTED. ANY PERSON SUPPLYING SUCH INFORMATION MUST USE HIS OR HER LEGAL NAME. SUCH INFORMATION MUST BE EITHER TYPED OR CLEARLY PRINTED. IN THE EVENT A PERSON ERRONEOUSLY TYPED OR DID NOT CLEARLY PRINT HIS OR HER LEGAL NAME, THE COUNTY CLERK MAY CHARGE A CONVENIENCE FEE OF TWENTY DOLLARS TO AMEND THE TRANSFER REPORT; AND

(10) A SWORN AFFIDAVIT, SUBSCRIBED TO BY THE PURCHASER, STATING THAT THE INFORMATION PROVIDED PURSUANT TO THIS PARAGRAPH IS TRUE TO THE BEST KNOWLEDGE OF THE AFFIANT.

S 2. This act shall take effect on the one hundred eightieth day after it shall have become a law. Effective immediately the office of real property services may amend, add, or repeal any rule or regulation necessary for the timely implementation of this act on its effective date.