

# STATE OF NEW YORK

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4192

2019-2020 Regular Sessions

## IN ASSEMBLY

February 1, 2019

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Introduced by M. of A. DenDEKKER -- read once and referred to the  
Committee on Judiciary

AN ACT to amend the real property law, in relation to requiring the  
secretary of state to promulgate rules or regulations requiring real  
estate salespersons and brokers to legibly write their name and  
license number on certain documents

The People of the State of New York, represented in Senate and Assem-  
bly, do enact as follows:

1 Section 1. Subdivision 1 of section 442-k of the real property law, as  
2 added by chapter 248 of the laws of 1995, is amended to read as follows:

3 1. (a) The state real estate board shall have the power to promulgate  
4 rules or regulations affecting brokers and sales persons in order to  
5 administer and effectuate the purposes of this article, except that  
6 matters pertaining to commingling money of a principal, rendering  
7 accounts for a client, managing property for a client, broker's purchase  
8 of property listed with him or her, inducing breach of contract of sale  
9 or lease, and records of transactions to be maintained are reserved for  
10 the exclusive regulatory authority of the secretary of state.

11 (b) The secretary of state, and not the state real estate board shall  
12 promulgate rules and regulations to administer or implement the  
13 provisions of sections four hundred forty-one and four hundred forty-  
14 two-h of this article.

15 [~~In addition, the~~] (c) The secretary of state shall have exclusive  
16 regulatory authority to promulgate rules regarding the duties and  
17 responsibilities of real estate brokers and salespersons with regard to  
18 the handling of clients' funds.

19 (d) The secretary of state shall promulgate rules or regulations  
20 requiring that in every real estate transaction, any document which  
21 requires the signature of a real estate salesperson and/or real estate  
22 broker shall also require such salesperson or broker to legibly write  
23 his or her name and license number on the document along with the signa-  
24 ture.

25 § 2. This act shall take effect immediately.

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

LBD07817-01-9