STATE OF NEW YORK

8851

IN ASSEMBLY

January 18, 2022

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

AN ACT to amend the real property law, in relation to the fee paid for issuing or reissuing a real estate broker or salesmen license; and to amend a chapter of the laws of 2021 amending the real property law relating to adding a surcharge to the fee paid for issuing or reissuing a real estate broker or salesmen license, as proposed in legislative bills numbers S. 2133-A and A. 5363, in relation to the effectiveness thereof

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

Section 1. Subdivision 1 of section 441-b of the real property law, as amended by a chapter of the laws of 2021 amending the real property law relating to adding a surcharge to the fee paid for issuing or reissuing a real estate broker or salesmen license, as proposed in legislative bills numbers S. 2133-A and A. 5363, is amended to read as follows:

1. The fee for a license issued or reissued under the provisions of this article entitling a person, co-partnership, limited liability company or corporation to act as a real estate broker shall be one hundred fifty-five dollars plus an additional thirty dollar surcharge. Such surcharge shall be collected by the department of state and [~~payable to the office of the attorney general~~] **deposited into the anti-discrimination in housing fund established pursuant to section eighty-a of the state finance law** to be used for statewide fair housing testing efforts. The fee for a license issued or reissued under the provisions of this article entitling a person to act as a real estate salesman shall be fifty-five dollars plus an additional ten dollar surcharge. Such surcharge shall be collected by the department of state and [~~payable to the office of the attorney general~~] **deposited into the anti-discrimination in housing fund established pursuant to section eighty-a of the state finance law** to be used for statewide fair housing testing efforts. Notwithstanding the provisions of subdivision seven of section four hundred forty-one-a of this article, after January first, nineteen hundred eighty-six, the secretary of state shall assign staggered expi-

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

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ration dates for outstanding licenses that have been previously renewed on October thirty-first of each year from the assigned date unless renewed. If the assigned date results in a term that exceeds twenty-four months, the applicant shall pay an additional prorated adjustment together with the regular renewal fee. The secretary of state shall assign dates to existing licenses in a manner which shall result in a term of not less than two years.

§ 2. Section 2 of a chapter of the laws of 2021 amending the real property law relating to adding a surcharge to the fee paid for issuing or reissuing a real estate broker or salesmen license, as proposed in legislative bills numbers S. 2133-A and A. 5363, is amended to read as follows:

§ 2. This act shall take effect [~~**immediately**~~] **on the thirtieth day after it shall have become law**.

§ 3. This act shall take effect immediately; provided, however, that section one of this act shall take effect on the same date and in the same manner as a chapter of the laws of 2021 amending the real property law relating to adding a surcharge to the fee paid for issuing or reissuing a real estate broker or salesmen license, as proposed in legislative bills numbers S. 2133-A and A. 5363, takes effect.