

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:

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

6 1. The fee for a license issued or reissued under the provisions of
7 this article entitling a person, co-partnership, limited liability
8 company or corporation to act as a real estate broker shall be one
9 hundred fifty-five dollars plus an additional thirty dollar surcharge.
10 Such surcharge shall be collected by the department of state and [~~payable~~
11 ~~to the office of the attorney general~~] deposited into the anti-dis-
12 crimination in housing fund established pursuant to section eighty-a of
13 the state finance law to be used for statewide fair housing testing
14 efforts. The fee for a license issued or reissued under the provisions
15 of this article entitling a person to act as a real estate salesman
16 shall be fifty-five dollars plus an additional ten dollar surcharge.
17 Such surcharge shall be collected by the department of state and [~~payable~~
18 ~~to the office of the attorney general~~] deposited into the anti-dis-
19 crimination in housing fund established pursuant to section eighty-a of
20 the state finance law to be used for statewide fair housing testing
21 efforts. Notwithstanding the provisions of subdivision seven of section
22 four hundred forty-one-a of this article, after January first, nineteen
23 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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1 ration dates for outstanding licenses that have been previously renewed
2 on October thirty-first of each year from the assigned date unless
3 renewed. If the assigned date results in a term that exceeds twenty-four
4 months, the applicant shall pay an additional prorated adjustment
5 together with the regular renewal fee. The secretary of state shall
6 assign dates to existing licenses in a manner which shall result in a
7 term of not less than two years.

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

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

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