

Intro. Res. No. 2052-2016
Introduced by Presiding Officer, on request of the County Executive

Laid on Table 11/22/2016

**RESOLUTION NO. -2016, ADOPTING LOCAL LAW
NO. -2016, AMENDING LOCAL LAW NO. 26-2016, TO
INCREASE TAX MAP VERIFICATION FEES FOR MORTGAGE
INSTRUMENTS**

WHEREAS, there was duly presented and introduced to this County Legislature at a meeting held on November 11, 2016, a proposed local law entitled, "A LOCAL LAW AMENDING LOCAL LAW NO. 26-2016, TO INCREASE TAX MAP VERIFICATION FEES FOR MORTGAGE INSTRUMENTS"; now, therefore be it

RESOLVED, that the said local law be enacted in form as follows:

LOCAL LAW NO. -2016, SUFFOLK COUNTY, NEW YORK

**A LOCAL LAW AMENDING LOCAL LAW NO. 26-2016, TO INCREASE TAX
MAP VERIFICATION FEES FOR MORTGAGE INSTRUMENTS**

**BE IT ENACTED BY THE COUNTY LEGISLATURE OF THE COUNTY OF
SUFFOLK**; as follows:

Section 1. Legislative Intent.

This Legislature finds and determines that the 2017 Operating Budget includes increased revenue for tax map verification fees for mortgage instruments, and such fees are collected by the County Clerk on behalf of the Real Property Tax Service Agency.

This Legislature also finds and determines that Local Law No. 26-2016, which shall become effective on January 1, 2017, amended section A18-3(G) of the SUFFOLK COUNTY CODE, and that section A18-3(G) is the same section of the SUFFOLK COUNTY CODE requiring modification for the increase of verification fees for mortgage instruments.

Therefore, the purpose of this law is to increase tax map verification fees for mortgage instruments in Suffolk County to offset administrative expenses by amending Local Law No. 26-2016, and to ensure the smooth implementation of both acts of this Legislature.

Section 2. Amendments.

Section 2 of Local Law No. 26-2016 is hereby amended to read as follows:

Section 2. Amendments.

§ A18-3. Verified identification numbers required on all instruments filed pertaining to title of land.

G. The Director of the Real Property Tax Service Agency is entitled, for the verification of Tax Map numbers on instruments presented for recording or filing, to a fee of \$200 per parcel; for each additional parcel a fee of \$200 for each parcel, up to a dollar amount not to exceed \$5,000, payable to the County Clerk at the time of recording or filing. In addition, the Director of the Real Property Tax Service Agency is entitled, for the verification of Tax Map numbers on all mortgage instruments, including but not limited to mortgages, supplemental mortgages, refinance of mortgages, reverse mortgages, consolidations of mortgages, modifications of mortgages, assignment of mortgages, extension of mortgages, collateral mortgages, correction mortgages, substitute mortgages, subordination of mortgages, satisfaction of mortgages, alternative mortgages, miscellaneous mortgages, spreaders, splitters, nomination agreements, building loan agreements, as well as any other form of security agreement affecting real property, presented for recording or filing, a separate and additional fee of \$300 per instrument, payable to the County Clerk at the time of recording or filing.

Section 3. Applicability.

This law shall apply to all instruments presented for recording or filing occurring on or after the effective date of this law.

Section 4. Severability.

If any clause, sentence, paragraph, subdivision, section, or part of this law or the application thereof to any person, individual, corporation, firm, partnership, entity, or circumstance shall be adjudged by any court of competent jurisdiction to be invalid or unconstitutional, such order or judgment shall not affect, impair, or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, section, or part of this law, or in its application to the person, individual, corporation, firm, partnership, entity, or circumstance directly involved in the controversy in which such order or judgment shall be rendered.

Section 5. SEQRA Determination.

This Legislature, being the State Environmental Quality Review Act (SEQRA) lead agency, hereby finds and determines that this law constitutes a Type II action pursuant to Section 617.5(c)(20), (21) and/or (27) of Title 6 of the NEW YORK CODE OF RULES AND REGULATIONS (6 NYCRR) and within the meaning of Section 8-0109(2) of the NEW YORK ENVIRONMENTAL CONSERVATION LAW as a promulgation of regulations, rules, policies, procedures, and legislative decisions in connection with continuing agency administration, management and information collection. The Suffolk County Council on Environmental Quality (CEQ) is hereby directed to circulate any appropriate SEQRA notices of determination of non-applicability or non-significance in accordance with this law.

Section 6. Effective Date.

This law shall take effect immediately upon filing with the Secretary of State.

[] Brackets denote deletion of language.

___ Underlining denotes addition of new language.

