

CHAPTER 397
(CORRECTED COPY)

AN ACT concerning title insurance, supplementing P.L.1975, c.106, and repealing section 39 of P.L.1975, c.106.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

Repealer.

1. Section 39 of P.L.1975, c.106 (C.17:46B-39) is repealed.

C.17:46B-63 Consumer rights; title, settlement service company.

2. a. Notwithstanding the provisions of this act nothing herein shall prevent a consumer from exercising their free choice in the selection of the title or settlement services company of their choosing. Any agreement by a consumer to use the services of a title or settlement service company shall be subject to the attorney review, if any, which is part of the contract for sale of real estate and may be revoked in the same manner as provided in the contract for the sale of real estate.

b. A person who violates the provisions of this section shall be:

- (1) for a first violation, subject to a 90-day business license suspension;
- (2) for a second violation:
 - (a) subject to a 180-day business license suspension; and
 - (b) liable to a penalty of not more than \$1,000 for each violation; and
- (3) for a third and any subsequent violation:
 - (a) subject to a one-year business license suspension; and
 - (b) liable to a penalty of not more than \$2,500 for each violation.

3. This act shall take effect immediately.

Approved January 18, 2022.