

P.L. 2021, CHAPTER 397, *approved January 18, 2022*
Senate, No.3081 (*First Reprint*)

1 AN ACT concerning title insurance¹, supplementing P.L.1975,
2 c.106,¹ and repealing section 39 of P.L.1975, c.106.
3
4 **BE IT ENACTED** by the Senate and General Assembly of the State
5 of New Jersey:
6
7 1. Section 39 of P.L.1975, c.106 (C.17:46B-39) is repealed.
8
9 ¹2. a. Notwithstanding the provisions of this act nothing herein
10 shall prevent a consumer from exercising their free choice in the
11 selection of the title or settlement services company of their
12 choosing. Any agreement by a consumer to use the services of a
13 title or settlement service company shall be subject to the attorney
14 review, if any, which is part of the contract for sale of real estate
15 and may be revoked in the same manner as provided in the contract
16 for the sale of real estate.
17 b. A person who violates the provisions of this section shall be:
18 (1) for a first violation, subject to a 90 day business license
19 suspension;
20 (2) for a second violation:
21 (a) subject to a 180 day business license suspension; and
22 (b) liable to a penalty of not more than \$1,000 for each
23 violation; and
24 (3) for a third and any subsequent violation:
25 (a) subject to a one year business license suspension; and
26 (b) liable to a penalty of not more than \$2,500 for each
27 violation.¹
28
29 ¹**[2.] 3.**¹ This act shall take effect immediately.
30
31
32
33
34 Repeals law concerning excess rates and charges for title
35 insurance; makes agreement to use services of title or settlement
36 service company subject to attorney review.

EXPLANATION – Matter enclosed in bold-faced brackets **[thus]** in the above bill is not enacted and is intended to be omitted in the law.

Matter underlined thus is new matter.
Matter enclosed in superscript numerals has been adopted as follows:
¹Assembly AFI committee amendments adopted December 13, 2021.