



EANY SUPPORTS Streamlining Land Conservation



S.6606 (May)

A.7372 (Thiele, et al.)

Explanation:

This proposed legislation marks an important reform to New York's open space conservation program. By accepting title insurance in state property transactions, a standard practice nationwide, we can expedite land acquisition and align with our Climate Action Plan and "30 x 30" conservation goals. Currently, the pursuit of "perfect title" creates bottlenecks and slows progress.

Over 96,000 acres, worth about \$154 million, await state acquisition. Yet, acquisition rates are disappointingly low; the DEC acquired only 10,421 acres in 2020 and 2022 combined. This legislation, introducing title insurance to transactions, promises to accelerate the pace of state land conservation.

By enabling the use of title insurance, this bill will protect taxpayer funds, offering a safeguard in the rare instance of title loss due to an insured defect. Moreover, title insurance is a practical tool for addressing minor defects that may occur over time, such as small gaps in the chain of title or filing discrepancies. This ensures that the marketability standard required by the Attorney General's statutory is met. Environmental Advocates NY supports this legislation as an integral step towards accelerating state land conservation in New York.

Summary:

This legislation amends the environmental conservation law and the parks, recreation and historic preservation law to authorize the New York Attorney General to approve land titles from commercial insurers, with the state of New York named as the insured. Additionally, the bill extends the Attorney General's duties to include approval of land acquisitions for conservation purposes.