

597--A

Cal. No. 247

2011-2012 Regular Sessions

I N   S E N A T E

(PREFILED)

January 5, 2011

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Introduced by Sens. FUSCHILLO, LARKIN, MAZIARZ, O'MARA -- read twice and ordered printed, and when printed to be committed to the Committee on Finance -- reported favorably from said committee, ordered to first and second report, ordered to a third reading, amended and ordered reprinted, retaining its place in the order of third reading

AN ACT to amend the executive law, in relation to prohibiting sex offenders from being entitled to licenses as state certified and licensed real estate appraisers

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

1     Section 1. Section 160-p of the executive law, as amended by chapter  
2     241 of the laws of 1999, is amended to read as follows:  
3     S 160-p. Basis for denial OR REVOCATION. (1) The department may, in  
4     accordance with the provisions of this article relating to hearings,  
5     deny the issuance of a certificate as a state certified real estate  
6     appraiser, or license as a state licensed real estate appraiser, or  
7     license as a state licensed real estate appraiser assistant, to an  
8     applicant on any of the grounds enumerated in this article.  
9     (2)(A) THE DEPARTMENT SHALL IN ACCORDANCE WITH THE PROVISIONS OF THIS  
10    ARTICLE RELATING TO HEARINGS, DENY THE ISSUANCE OF A CERTIFICATE AS A  
11    STATE CERTIFIED REAL ESTATE APPRAISER, OR LICENSE AS A STATE LICENSED  
12    REAL ESTATE APPRAISER, OR LICENSE AS A STATE LICENSED REAL ESTATE  
13    APPRAISER ASSISTANT, TO AN APPLICANT WHO HAS BEEN CONVICTED OF A SEX  
14    OFFENSE, AS DEFINED IN SUBDIVISION TWO OF SECTION ONE HUNDRED  
15    SIXTY-EIGHT-A OF THE CORRECTION LAW OR ANY OFFENSE COMMITTED OUTSIDE OF  
16    THIS STATE WHICH WOULD CONSTITUTE A SEX OFFENSE, OR A SEXUALLY VIOLENT  
17    OFFENSE, AS DEFINED IN SUBDIVISION THREE OF SECTION ONE HUNDRED  
18    SIXTY-EIGHT-A OF THE CORRECTION LAW OR ANY OFFENSE COMMITTED OUTSIDE  
19    THIS STATE WHICH WOULD CONSTITUTE A SEXUALLY VIOLENT OFFENSE.

EXPLANATION--Matter in ITALICS (underscored) is new; matter in brackets  
[ ] is old law to be omitted.

LBD00210-03-1

1 (B) WHENEVER ANY PERSON LICENSED AS A STATE CERTIFIED REAL ESTATE  
2 APPRAISER, STATE LICENSED REAL ESTATE APPRAISER, OR STATE LICENSED REAL  
3 ESTATE APPRAISER ASSISTANT IS CONVICTED IN THIS STATE OR ELSEWHERE OF A  
4 SEX OFFENSE, AS DEFINED IN SUBDIVISION TWO OF SECTION ONE HUNDRED  
5 SIXTY-EIGHT-A OF THE CORRECTION LAW OR ANY OFFENSE COMMITTED OUTSIDE OF  
6 THIS STATE WHICH WOULD CONSTITUTE A SEX OFFENSE, OR A SEXUALLY VIOLENT  
7 OFFENSE, AS DEFINED IN SUBDIVISION THREE OF SECTION ONE HUNDRED  
8 SIXTY-EIGHT-A OF THE CORRECTION LAW OR ANY OFFENSE COMMITTED OUTSIDE  
9 THIS STATE WHICH WOULD CONSTITUTE A SEXUALLY VIOLENT OFFENSE, SUCH STATE  
10 CERTIFIED REAL ESTATE APPRAISER, STATE LICENSED REAL ESTATE APPRAISER,  
11 OR STATE LICENSED REAL ESTATE APPRAISER ASSISTANT SHALL WITHIN FIVE DAYS  
12 OF THE IMPOSITION OF SENTENCE, TRANSMIT A CERTIFIED COPY OF THE JUDGMENT  
13 OF CONVICTION TO THE DEPARTMENT WHICH SHALL UPON RECEIPT REVOKE SUCH  
14 INDIVIDUAL'S CERTIFICATE.

15 S 2. This act shall take effect immediately.