S T A T E O F N E W Y O R K

1192

2009-2010 Regular Sessions

I N A S S E M B L Y

(PREFILED)

January 7, 2009

Introduced by M. of A. CAHILL, CANESTRARI, McENENY, GREENE -- Multi-Sponsored by -- M. of A. COOK, EDDINGTON, GLICK, MAYERSOHN, ORTIZ, PHEFFER, SCHIMMINGER, WEISENBERG -- read once and referred to the Committee on Higher Education

AN ACT to amend the education law, in relation to allowing for prorated refunds of the licensure and registration fee to the spouse of a deceased professional

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

Section 1. Subdivision 3 of section 6502 of the education law, as amended by chapter 599 of the laws of 1996, is amended to read as follows:

3. An application for registration and the required registration fee shall be submitted together with or as a part of the application for a license. A person initially licensed or a licensee resuming practice after a lapse of registration during the last two years of a triennial registration period shall receive a prorated refund of one-third of the total registration fee for each full year of the triennial period that has elapsed prior to the date of registration. THE SPOUSE OF A PERSON WHO IS LICENSED AND REGISTERED TO PRACTICE IN ACCORDANCE WITH THE PROVISIONS OF THIS ARTICLE, WHO CAN DEMONSTRATE TO THE DEPARTMENT'S SATISFACTION THROUGH DOCUMENTED PROOF INCLUDING, BUT NOT LIMITED TO, SUCH PERSON'S DEATH CERTIFICATE, SUCH PERSON'S REGISTRATION, AND A CHECK, DRAFT OR MONEY ORDER CASHED FOR SUCH PERSON'S REGISTRATION, SHALL RECEIVE A PRORATED REFUND OF THE LICENSURE AND REGISTRATION FEE REFLECTING THE REMAINING FEE FROM THE TIME OF DEATH TO THE END OF THE REGISTRATION PERIOD. Except as provided in subdivision three-a of this section, the department shall renew the registration of each licensee upon receipt of a proper application, on a form prescribed by the department and conforming to the requirements of section 3-503 of the general obli-

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

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gations law, and the registration fee. Any licensee who fails to register by the beginning of the appropriate registration period shall be required to pay an additional fee for late filing of ten dollars for each month that registration has been delayed. No licensee resuming practice after a lapse of registration shall be permitted to practice without actual possession of the registration certificate.

S 2. This act shall take effect immediately.