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

4426

2009-2010 Regular Sessions

I N A S S E M B L Y

February 4, 2009

Introduced by M. of A. CANESTRARI -- read once and referred to the Committee on Higher Education

AN ACT to amend the education law and the state finance law, in relation to unlicensed practice funding and establishing the unlawful practice oversight account

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

Section 1. Section 6502 of the education law is amended by adding a new subdivision 8 to read as follows:

8. AN ADDITIONAL FEE OF TEN DOLLARS FOR DEPOSIT IN THE UNLAWFUL PRACTICE OVERSIGHT ACCOUNT SHALL BE CHARGED FOR THE REGISTRATION OF ANY APPLICANT FOR ANY REGISTRATION PERIOD COMMENCING ON AND AFTER THE EFFECTIVE DATE OF THIS SUBDIVISION.

S 2. The state finance law is amended by adding a new section 97-j to read as follows:

S 97-J. UNLAWFUL PRACTICE OVERSIGHT ACCOUNT. 1. THERE IS HEREBY ESTABLISHED IN THE JOINT CUSTODY OF THE STATE COMPTROLLER AND THE COMMISSIONER OF TAXATION AND FINANCE AN ACCOUNT OF THE MISCELLANEOUS SPECIAL REVENUE FUND TO BE KNOWN AS THE UNLAWFUL PRACTICE OVERSIGHT ACCOUNT.

2. NOTWITHSTANDING ANY OTHER LAW, RULE OR REGULATION TO THE CONTRARY, THE STATE COMPTROLLER IS HEREBY AUTHORIZED AND DIRECTED TO RECEIVE FOR DEPOSIT TO THE CREDIT OF THE UNLAWFUL PRACTICE OVERSIGHT ACCOUNT, ANY ADDITIONAL FEES PAID PURSUANT TO SUBDIVISION EIGHT OF SECTION SIXTY-FIVE HUNDRED TWO OF THE EDUCATION LAW.

3. MONEYS OF THIS ACCOUNT, FOLLOWING APPROPRIATION BY THE LEGISLATURE, SHALL BE AVAILABLE TO THE STATE EDUCATION DEPARTMENT FOR SERVICES AND EXPENSES OF THE OFFICE OF THE PROFESSIONS THAT ARE NECESSARY TO INVESTIGATE AND PROSECUTE ALLEGATIONS OF UNLAWFUL PRACTICE PURSUANT TO SECTIONS SIXTY-FIVE HUNDRED FIFTEEN AND SIXTY-FIVE HUNDRED SIXTEEN OF THE EDUCATION LAW.

S 3. This act shall take effect immediately.

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

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