

2009-2010 Regular Sessions

I N S E N A T E

(PREFILED)

January 7, 2009

Introduced by Sen. FUSCHILLO -- read twice and ordered printed, and when printed to be committed to the Committee on Finance

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. 1. The department may, in accordance with
4 the provisions of this article relating to hearings, deny the issuance
5 of a certificate as a state certified real estate appraiser, or license
6 as a state licensed real estate appraiser, or license as a state
7 licensed real estate appraiser assistant, to an applicant on any of the
8 grounds enumerated in this article AND TO AN APPLICANT WHO HAS BEEN
9 CONVICTED OF A SEX OFFENSE, AS DEFINED IN SUBDIVISION TWO OF SECTION ONE
10 HUNDRED SIXTY-EIGHT-A OF THE CORRECTION LAW OR ANY OFFENSE COMMITTED
11 OUTSIDE OF THIS STATE WHICH WOULD CONSTITUTE A SEX OFFENSE, OR A SEXUAL-
12 LY VIOLENT OFFENSE, AS DEFINED IN SUBDIVISION THREE OF SECTION ONE
13 HUNDRED SIXTY-EIGHT-A OF THE CORRECTION LAW OR ANY OFFENSE COMMITTED
14 OUTSIDE THIS STATE WHICH WOULD CONSTITUTE A SEXUALLY VIOLENT OFFENSE.
15 2. WHENEVER ANY PERSON LICENSED AS A STATE CERTIFIED REAL ESTATE
16 APPRAISER, STATE LICENSED REAL ESTATE APPRAISER, OR STATE LICENSED REAL
17 ESTATE APPRAISER ASSISTANT IS CONVICTED IN THIS STATE OR ELSEWHERE OF A
18 SEX OFFENSE, AS DEFINED IN SUBDIVISION TWO OF SECTION ONE HUNDRED
19 SIXTY-EIGHT-A OF THE CORRECTION LAW OR ANY OFFENSE COMMITTED OUTSIDE OF
20 THIS STATE WHICH WOULD CONSTITUTE A SEX OFFENSE, OR A SEXUALLY VIOLENT
21 OFFENSE, AS DEFINED IN SUBDIVISION THREE OF SECTION ONE HUNDRED SIXTY-
22 EIGHT-A OF THE CORRECTION LAW OR ANY OFFENSE COMMITTED OUTSIDE THIS
23 STATE WHICH WOULD CONSTITUTE A SEXUALLY VIOLENT OFFENSE, SUCH STATE

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

LBD01143-01-9

1 CERTIFIED REAL ESTATE APPRAISER, STATE LICENSED REAL ESTATE APPRAISER,
2 OR STATE LICENSED REAL ESTATE APPRAISER ASSISTANT SHALL WITHIN FIVE DAYS
3 OF THE IMPOSITION OF SENTENCE, TRANSMIT A CERTIFIED COPY OF THE JUDGMENT
4 OF CONVICTION TO THE DEPARTMENT.

5 S 2. This act shall take effect immediately.