

8532

2011-2012 Regular Sessions

I N A S S E M B L Y

July 13, 2011

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

AN ACT to amend the education law, in relation to requiring licensure
for the paralegal profession

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

1 Section 1. The education law is amended by adding a new article 167 to
2 read as follows:

3 ARTICLE 167
4 PARALEGAL

5 SECTION 8800. INTRODUCTION.

6 8801. PARALEGAL PROGRAM.

7 8802. USE OF THE TITLE "PARALEGAL".

8 S 8800. INTRODUCTION. THIS ARTICLE APPLIES TO THE PARALEGAL PROFES-
9 SION. THE GENERAL PROVISIONS FOR ALL PROFESSIONS CONTAINED IN ARTICLE
10 ONE HUNDRED THIRTY OF THIS TITLE APPLY TO THIS ARTICLE.

11 S 8801. PARALEGAL PROGRAM. 1. THE BOARD OF REGENTS UPON THE RECOMMEN-
12 DATION OF THE COMMISSIONER SHALL ESTABLISH A PROGRAM TO REQUIRE THE
13 LICENSURE OF ALL PARALEGALS PRACTICING IN THIS STATE.

14 2. THE PROGRAM SHALL: (A) DEFINE THE SCOPE OF PARALEGAL PRACTICE;
15 PROVIDE MANDATORY MINIMUM STANDARDS AND PROCEDURES FOR INITIAL QUALI-
16 FICATIONS; AND PROVIDE REQUIREMENTS FOR CONTINUING EDUCATION, CERTIF-
17 ICATION, AND PROFESSIONAL CONDUCT;

18 (B) ESTABLISH LICENSE APPLICATION FEES AND LICENSE RENEWAL FEES, WHICH
19 SHALL NOT EXCEED ONE HUNDRED DOLLARS EACH. THE REVENUES GENERATED FROM
20 SUCH FEES SHALL BE USED SOLELY TO ADMINISTER THE PROGRAM AND SHALL BE
21 SET AT A LEVEL THAT DOES NOT EXCEED THE AMOUNT NECESSARY TO ENSURE THE
22 CONTINUED OPERATION OF THE PROGRAM; AND

23 (C) CREATE AN INDEPENDENT BOARD TO ADOPT RULES AND REGULATIONS, ESTAB-
24 LISH PROCEDURES, AND ASSIST THE BOARD IN ADMINISTERING THIS SECTION.

25 S 8802. USE OF THE TITLE "PARALEGAL". ONLY A PERSON LICENSED UNDER
26 THIS ARTICLE SHALL USE THE TITLE "PARALEGAL".

27 S 2. This act shall take effect on July 1, 2011.

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

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