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

4468

2011-2012 Regular Sessions

I N S E N A T E

April 6, 2011

Introduced by Sen. O'MARA -- (at request of the Department of State) -- read twice and ordered printed, and when printed to be committed to the Committee on Judiciary

AN ACT to amend the real property law and the general business in relation to the approval of distance learning courses for continuing education

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

Section 1. Subdivision 1 of section 444-f of the real property law, as amended by chapter 225 of the laws of 2005, is amended to read as follows:

1. Home inspector licenses and renewals thereof shall be issued for a period of two years, except that the secretary may, in order to stagger the expiration date thereof, provide that those licenses first issued or renewed after the effective date of this section shall expire or become void on a date fixed by the secretary, not sooner than six months nor later than twenty-nine months after the date of issue. No renewal of a license shall be issued unless the applicant has successfully completed a course of continuing education approved by the secretary, in consultation with the council. THE SECRETARY MAY APPROVE COMPUTER-BASED AND DISTANCE-LEARNING COURSES SO LONG AS, IN HIS OR HER JUDGMENT, PROVIDERS SATISFACTORILY DEMONSTRATE THE ABILITY TO MONITOR AND VERIFY PARTICIPATION BY THE APPLICANT FOR THE SPECIFIED TIME PERIOD. NOTWITHSTANDING THE FOREGOING AUTHORITY TO APPROVE COMPUTER-BASED AND DISTANCE-LEARNING COURSES, THE SECRETARY MAY PRESCRIBE THAT SPECIFIED SUBJECTS OR HOURS MUST BE PRESENTED IN A CLASSROOM SETTING.

S 2. Subdivision 1 of section 794 of the general business law, as amended by chapter 301 of the laws of 2000, is amended to read as follows:

1. Prior to the expiration of a certificate of registration and as a condition of renewal, each hearing aid dispenser registered pursuant to

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

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subdivision one of section seven hundred ninety of this article shall submit documentation showing successful completion of twenty continuing education credits through a course or courses approved by the secretary in consultation with the advisory board, or, in relation to audiologists licensed pursuant to article one hundred fifty-nine of the education law, the office of the professions in the education department. Such formal courses of learning shall include, but not be limited to, collegiate level of credit in non-credit courses, professional development programs and technical sessions offered by national, state and local professional associations and other organizations acceptable to the secretary and any other organized educational and technical programs acceptable to the secretary. The secretary may, in his or her discretion, and as needed to contribute to the health and welfare of the public, require the completion of continuing education courses in specific subjects to fulfill this mandatory continuing education requirement. Courses shall be taken from a sponsor approved by the secretary pursuant to regulations promulgated pursuant to this section. THE SECRETARY MAY APPROVE COMPUTER-BASED AND DISTANCE-LEARNING COURSES SO LONG AS, IN HIS OR HER JUDGMENT, PROVIDERS SATISFACTORILY DEMONSTRATE THE ABILITY TO MONITOR AND VERIFY PARTICIPATION BY THE APPLICANT FOR THE SPECIFIED TIME PERIOD. NOTWITHSTANDING THE FOREGOING AUTHORITY TO APPROVE COMPUTER-BASED AND DISTANCE-LEARNING COURSES, THE SECRETARY MAY PRESCRIBE THAT SPECIFIED SUBJECTS OR HOURS MUST BE PRESENTED IN A CLASSROOM SETTING.

S 3. This act shall take effect immediately.