

597

2011-2012 Regular Sessions

I N   S E N A T E

(PREFILED)

January 5, 2011

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Introduced by Sens. FUSCHILLO, LARKIN, MAZIARZ -- 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.

LBD00210-01-1

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.