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

597--A

Cal. No. 247

2011-2012 Regular Sessions

I N S E N A T E

(PREFILED)

January 5, 2011

Introduced by Sens. FUSCHILLO, LARKIN, MAZIARZ, O'MARA -- read twice and ordered printed, and when printed to be committed to the Committee on Finance -- reported favorably from said committee, ordered to first and second report, ordered to a third reading, amended and ordered reprinted, retaining its place in the order of third reading

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:

Section 1. Section 160-p of the executive law, as amended by chapter 241 of the laws of 1999, is amended to read as follows:

S 160-p. Basis for denial OR REVOCATION. (1) The department may, in accordance with the provisions of this article relating to hearings, deny the issuance of a certificate as a state certified real estate appraiser, or license as a state licensed real estate appraiser, or license as a state licensed real estate appraiser assistant, to an applicant on any of the grounds enumerated in this article.

(2)(A) THE DEPARTMENT SHALL IN ACCORDANCE WITH THE PROVISIONS OF THIS ARTICLE RELATING TO HEARINGS, DENY THE ISSUANCE OF A CERTIFICATE AS A STATE CERTIFIED REAL ESTATE APPRAISER, OR LICENSE AS A STATE LICENSED REAL ESTATE APPRAISER, OR LICENSE AS A STATE LICENSED REAL ESTATE APPRAISER ASSISTANT, TO AN APPLICANT WHO HAS BEEN CONVICTED OF A SEX OFFENSE, AS DEFINED IN SUBDIVISION TWO OF SECTION ONE HUNDRED SIXTY-EIGHT-A OF THE CORRECTION LAW OR ANY OFFENSE COMMITTED OUTSIDE OF THIS STATE WHICH WOULD CONSTITUTE A SEX OFFENSE, OR A SEXUALLY VIOLENT OFFENSE, AS DEFINED IN SUBDIVISION THREE OF SECTION ONE HUNDRED SIXTY-EIGHT-A OF THE CORRECTION LAW OR ANY OFFENSE COMMITTED OUTSIDE THIS STATE WHICH WOULD CONSTITUTE A SEXUALLY VIOLENT OFFENSE.

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

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(B) WHENEVER ANY PERSON LICENSED AS A STATE CERTIFIED REAL ESTATE APPRAISER, STATE LICENSED REAL ESTATE APPRAISER, OR STATE LICENSED REAL ESTATE APPRAISER ASSISTANT IS CONVICTED IN THIS STATE OR ELSEWHERE OF A SEX OFFENSE, AS DEFINED IN SUBDIVISION TWO OF SECTION ONE HUNDRED SIXTY-EIGHT-A OF THE CORRECTION LAW OR ANY OFFENSE COMMITTED OUTSIDE OF THIS STATE WHICH WOULD CONSTITUTE A SEX OFFENSE, OR A SEXUALLY VIOLENT OFFENSE, AS DEFINED IN SUBDIVISION THREE OF SECTION ONE HUNDRED SIXTY-EIGHT-A OF THE CORRECTION LAW OR ANY OFFENSE COMMITTED OUTSIDE THIS STATE WHICH WOULD CONSTITUTE A SEXUALLY VIOLENT OFFENSE, SUCH STATE CERTIFIED REAL ESTATE APPRAISER, STATE LICENSED REAL ESTATE APPRAISER, OR STATE LICENSED REAL ESTATE APPRAISER ASSISTANT SHALL WITHIN FIVE DAYS OF THE IMPOSITION OF SENTENCE, TRANSMIT A CERTIFIED COPY OF THE JUDGMENT OF CONVICTION TO THE DEPARTMENT WHICH SHALL UPON RECEIPT REVOKE SUCH INDIVIDUAL'S CERTIFICATE.

S 2. This act shall take effect immediately.