

716

2013-2014 Regular Sessions

I N A S S E M B L Y

(PREFILED)

January 9, 2013

Introduced by M. of A. BRAUNSTEIN, GUNTHER, COLTON, TEDISCO, CASTRO --
Multi-Sponsored by -- M. of A. COOK, McDONOUGH -- read once and
referred to the Committee on Correction

AN ACT to amend the executive law, in relation to prohibiting sex offen-
ders 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 ASSEM-
BLY, 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 OR REVOCATION. (1) The department may, in
4 accordance with the provisions of this article relating to hearings,
5 deny the issuance of a certificate as a state certified real estate
6 appraiser, or license as a state licensed real estate appraiser, or
7 license as a state licensed real estate appraiser assistant, to an
8 applicant on any of the grounds enumerated in this article.
9 (2)(A) THE DEPARTMENT SHALL IN ACCORDANCE WITH THE PROVISIONS OF THIS
10 ARTICLE RELATING TO HEARINGS, DENY THE ISSUANCE OF A CERTIFICATE AS A
11 STATE CERTIFIED REAL ESTATE APPRAISER, OR LICENSE AS A STATE LICENSED
12 REAL ESTATE APPRAISER, OR LICENSE AS A STATE LICENSED REAL ESTATE
13 APPRAISER ASSISTANT, TO AN APPLICANT WHO HAS BEEN CONVICTED OF A SEX
14 OFFENSE, AS DEFINED IN SUBDIVISION TWO OF SECTION ONE HUNDRED
15 SIXTY-EIGHT-A OF THE CORRECTION LAW OR ANY OFFENSE COMMITTED OUTSIDE OF
16 THIS STATE WHICH WOULD CONSTITUTE A SEX OFFENSE, OR A SEXUALLY VIOLENT
17 OFFENSE, AS DEFINED IN SUBDIVISION THREE OF SECTION ONE HUNDRED
18 SIXTY-EIGHT-A OF THE CORRECTION LAW OR ANY OFFENSE COMMITTED OUTSIDE
19 THIS STATE WHICH WOULD CONSTITUTE A SEXUALLY VIOLENT OFFENSE.
20 (B) WHENEVER ANY PERSON LICENSED AS A STATE CERTIFIED REAL ESTATE
21 APPRAISER, STATE LICENSED REAL ESTATE APPRAISER, OR STATE LICENSED REAL
22 ESTATE APPRAISER ASSISTANT IS CONVICTED IN THIS STATE OR ELSEWHERE OF A

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

LBD01322-01-3

1 SEX OFFENSE, AS DEFINED IN SUBDIVISION TWO OF SECTION ONE HUNDRED
2 SIXTY-EIGHT-A OF THE CORRECTION LAW OR ANY OFFENSE COMMITTED OUTSIDE OF
3 THIS STATE WHICH WOULD CONSTITUTE A SEX OFFENSE, OR A SEXUALLY VIOLENT
4 OFFENSE, AS DEFINED IN SUBDIVISION THREE OF SECTION ONE HUNDRED
5 SIXTY-EIGHT-A OF THE CORRECTION LAW OR ANY OFFENSE COMMITTED OUTSIDE
6 THIS STATE WHICH WOULD CONSTITUTE A SEXUALLY VIOLENT OFFENSE, SUCH STATE
7 CERTIFIED REAL ESTATE APPRAISER, STATE LICENSED REAL ESTATE APPRAISER,
8 OR STATE LICENSED REAL ESTATE APPRAISER ASSISTANT SHALL WITHIN FIVE DAYS
9 OF THE IMPOSITION OF SENTENCE, TRANSMIT A CERTIFIED COPY OF THE JUDGMENT
10 OF CONVICTION TO THE DEPARTMENT WHICH SHALL UPON RECEIPT REVOKE SUCH
11 INDIVIDUAL'S CERTIFICATE.
12 S 2. This act shall take effect immediately.