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

5027

2015-2016 Regular Sessions

I N S E N A T E

April 29, 2015

Introduced by Sen. BOYLE -- read twice and ordered printed, and when printed to be committed to the Committee on Judiciary

AN ACT to amend the real property law, in relation to training and continuing education requirements for home inspector licensing

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

Section 1. Subparagraph (i) of paragraph (b) of subdivision 1 of section 444-e of the real property law, as amended by section 59 of part D of chapter 60 of the laws of 2012, is amended to read as follows:

(i) have successfully completed a course of study of not less than [one] TWO hundred [forty] hours approved by the secretary, of which at least [forty] EIGHTY hours shall have been in the form of unpaid field based inspections in the presence of and under the direct supervision of a home inspector licensed by the state of New York or a professional engineer or architect regulated by the state of New York who oversees and takes full responsibility for the inspection and any report provided to a client; or

S 2. Subdivision 1 of section 444-f of the real property law, as amended by section 60 of part D of chapter 60 of the laws of 2012, 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] AT LEAST THIRTY-TWO HOURS of continuing education approved by the secretary WITHIN THE TWO-YEAR PERIOD IMMEDIATELY PRECEDING SUCH RENEWAL, UP TO EIGHT HOURS OF WHICH MAY BE COMPLETED THROUGH ONLINE EDUCATION THAT ADHERES TO THE REQUIREMENTS SET FORTH BY THE SECRETARY.

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

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S 3. Section 444-l of the real property law, as amended by section 62 of part D of chapter 60 of the laws of 2012, is amended to read as follows:

S 444-l. Duties of the secretary. 1. The secretary shall establish such rules and regulations as shall be necessary to implement the provisions of this article.

2. THE SECRETARY SHALL ESTABLISH RULES AND REGULATIONS PERTAINING TO THE NUMBER AND MANNER OF HOURS OF UNPAID FIELD-BASED TRAINING REQUIRED PURSUANT TO SUBPARAGRAPH (I) OF PARAGRAPH (B) OF SUBDIVISION ONE OF SECTION FOUR HUNDRED FORTY-FOUR-E OF THIS ARTICLE.

3. THE SECRETARY SHALL ESTABLISH RULES AND REGULATIONS PERTAINING TO THE NUMBER AND MANNER OF HOURS OF CONTINUING EDUCATION REQUIRED PURSUANT TO SUBDIVISION ONE OF SECTION FOUR HUNDRED FORTY-FOUR-F OF THIS ARTICLE. SUCH RULES AND REGULATIONS SHALL INCLUDE STANDARDS AND REQUIREMENTS FOR COMPUTER BASED DISTANCE LEARNING PROGRAMS.

S 4. This act shall take effect immediately.