

4046

2015-2016 Regular Sessions

I N S E N A T E

February 26, 2015

Introduced by Sen. GOLDEN -- 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 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  
23 SEX OFFENSE, AS DEFINED IN SUBDIVISION TWO OF SECTION ONE HUNDRED  
24 SIXTY-EIGHT-A OF THE CORRECTION LAW OR ANY OFFENSE COMMITTED OUTSIDE OF

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

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