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I N S E N A T E

April 11, 2016

Introduced by Sen. BONACIC -- 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 requiring three hours of agency related coursework as a requirement for renewal of a real estate license

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

1 Section 1. Paragraph (a) of subdivision 3 of section 441 of the real
2 property law, as amended by section 1 of part D of chapter 328 of the
3 laws of 2014, is amended to read as follows:
4 (a) No renewal license shall be issued any licensee under this article
5 for any license period commencing November first, nineteen hundred nine-
6 ty-five unless such licensee shall have within the two year period imme-
7 diately preceding such renewal attended at least twenty-two and one-half
8 hours which shall include at least three hours of instruction pertaining
9 to fair housing and/or discrimination in the sale or rental of real
10 property or an interest in real property, AT LEAST ONE HOUR OF INSTRU-
11 TION PERTAINING TO THE LAW OF AGENCY EXCEPT IN THE CASE OF THE INITIAL
12 TWO-YEAR LICENSING TERM FOR REAL ESTATE SALESPERSONS, TWO HOURS OF AGEN-
13 CY RELATED INSTRUCTION MUST BE COMPLETED, and successfully completed a
14 continuing education real estate course or courses approved by the
15 secretary of state as to method, content and supervision, which approval
16 may be withdrawn if in the opinion of the secretary of state such course
17 or courses are not being conducted properly as to method, content and
18 supervision. For those individuals licensed pursuant to subdivision six
19 of section four hundred forty-two-g of this article, in the individual's
20 initial license term, at least eleven hours of the required twenty-two
21 and one-half hours of continuing education shall be completed during the
22 first year of the term. Of those eleven hours, three hours shall pertain
23 to applicable New York state statutes and regulations governing the
24 practice of real estate brokers and salespersons. To establish compli-
25 ance with the continuing education requirements imposed by this section,
26 licensees shall provide an affidavit, in a form acceptable to the
27 department of state, establishing the nature of the continuing education

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

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1 acquired and shall provide such further proof as required by the depart-
2 ment of state. The provisions of this paragraph shall not apply to any
3 licensed real estate broker who is engaged full time in the real estate
4 business and who has been licensed under this article prior to July
5 first, two thousand eight for at least fifteen consecutive years imme-
6 diately preceding such renewal.
7 S 2. This act shall take effect on the first of January next succeed-
8 ing the date on which it shall have become a law. Provided, however,
9 effective immediately, the secretary of state shall promulgate necessary
10 and advisable rules and regulations for the implementation of the
11 provisions of this act on its effective date.