§ 1530. County real property tax service agency; director. 1. Selection and term of office. In each county that does not assess real property for purposes of taxation, except a county wholly within a city, there shall be a real property tax service agency. The head of such agency shall be the director of real property tax services, who shall have a six year term of office commencing on October first, nineteen hundred seventy-one and on October first of each sixth year thereafter. The director shall be appointed by the legislative body of the county except that in a county in which heads of departments are appointed by the county executive or county manager, such director shall be appointed by such county executive or county manager. Any resident of the state, otherwise eligible for appointment as director of real property tax services, may be appointed director of real property tax services.

1-a. In the event that a director of real property tax services, appointed pursuant to the provisions of this section, is unable to perform the duties of the office of director of real property tax services or the office becomes vacant, the appointing authority may by resolution designate or appoint an acting director of real property tax services. Where an acting director of real property tax services is designated or appointed pursuant to this section, the appointing authority shall notify the commissioner within fifteen days of making such designation or appointment. The acting director of real property tax services shall function as director of real property tax services until such time as the director of real property tax services is able to resume the position or until a replacement is appointed. In the event an acting director of real property tax services functions as director of real property tax services for more than six months, then such acting director of real property tax services shall be required to meet the minimum qualification standards and to obtain certification as required by this title for persons appointed to the office of director of real property tax services.

2. Classification. The position of director of real property tax services shall be classified in the noncompetitive class of the civil service, except where the county legislative body determines the position to be full-time and such body requests that the position be

classified in the competitive class.

3. Qualifications and training. a. Minimum qualification standards. The director of real property tax services shall be appointed on the basis of his knowledge of principles and methods relating to the assessment of real property and his executive and administrative experience. No person shall be eligible for appointment as director unless he meets the minimum qualification standards established for such office by the commissioner.

b. Required training. A person who takes office as director of real property tax services shall complete the basic course of training prescribed by the commissioner within four years after he or she commences his or her term of office. The curriculum of such basic training course shall include but not be limited to assessment administration; the fundamentals of real property and land appraisal; fundamentals of tax mapping; mass appraisal techniques; industrial appraisal; exemption administration; tax collection and enforcement; and other topics relevant and important to assessing functions; provided, however, any such person who successfully demonstrates to the commissioner satisfactory competence in the subject matter of the basic course of training shall not be required to complete the same. Directors of real property tax services shall, in addition to the basic course of training, also complete courses in a continuing training and education program as shall be prescribed by the commissioner under the provisions of this article.

c. Orientation. Within one month of commencing a term of office, any county director who has not obtained commissioner certification pursuant to this section shall attend a one day orientation course prescribed by the commissioner. Such orientation course shall be designed to provide the prospective county director with a general knowledge of the responsibilities of the county director and a general understanding of the appropriate state and local government structure. No county director shall continue in office or receive compensation where the commissioner determines that he or she has failed to file with the clerk of the county a certificate of attendance of the orientation course.

d. Interim certification. At least once during each twelve month period preceding the date by which the commissioner requires permanent certication pursuant to this section, each county director must obtain an interim certification from the commissioner. Such interim certification shall evidence satisfactory progress in obtaining permanent certification by successful completion of one or more components of the required training. The commissioner shall transmit such interim certificate to the county director and to the appropriate county clerk for filing.

e. Failure to complete required training. (1) Such director of real property tax services shall not continue in office unless within the applicable period specified in paragraph b of this subdivision, he or she shall have filed with the clerk of the county a certificate of the commissioner stating that he or she has completed the basic course of training and education prescribed by the commissioner. The county director must also complete prescribed courses in a continuing training and education program as required in paragraph b of this subdivision. (2) In the event a director does not file such statement, interim certificate, certificate, or a temporary certificate issued pursuant to this paragraph, or does not complete such prescribed courses in a continuing training and education program, the commissioner shall conduct a hearing upon notice to the director and the clerk of the county for which he serves. If, after such hearing, the commissioner finds that the director has failed to comply with the provisions of this subdivision, such appointment shall be revoked and the appointing authority shall appoint a successor for the balance of the unexpired term, subject to all applicable provisions of this article. Such hearing shall be conducted within the county for which the director serves no later than thirty days after delivery of such notice. (3) In the event that a director shall have been unable to enroll in or complete such basic course of training and education for reasons beyond his or her control, the commissioner may issue a temporary certificate enabling the director to continue in office pending completion of such course at the earliest date when such course is next available as specified by the commissioner. The temporary certificate shall be filed by the director

with the clerk of the county and shall permit the director to continue in office for the period set forth therein. Upon the expiration of such temporary certification and after a hearing as hereinabove provided, the appointment of the director shall be revoked unless the director has filed a certificate pursuant to this subdivision. The provisions of this paragraph with respect to revocation of appointment shall not apply to a director if upon his or her appointment or reappointment the commissioner certifies that he or she has completed the type of basic course of training and education which is then prescribed for the position to which he or she is appointed or reappointed.

f. Expenses in attending training courses. Notwithstanding the provisions of any other law, the travel and other actual and necessary expenses incurred by a director or a person appointed director for a forthcoming term in attending courses of training as required by this subdivision or as approved by the commissioner shall be a state charge upon audit by the comptroller. Notwithstanding the foregoing provisions of this paragraph, if the provider of a training course has asked the commissioner to approve the course for credit only, so that attendees who successfully complete the course would be entitled to receive credit without having their expenses reimbursed by the state, and the commissioner has agreed to do so, the travel and other actual and necessary expenses incurred by such attendees shall not be a state charge.

4. Special provisions for certain counties. In a county which on August first, nineteen hundred seventy has a county tax commission with members who serve for five-year overlapping terms and consisting of members who are required to represent more than one political party and having powers and duties which include a substantial part of the duties assigned by this article to the director of real property tax services and substantial additional duties with respect to real property taxation, the chief administrative officer of such commission, whether known as secretary or by some other title, shall exercise and perform the powers and duties assigned and imposed upon the director of real property tax services under this article, provided that the powers and duties assigned to him which are the same as the powers and duties

assigned to such commission shall be exercised by him under the general direction of the commission. Such chief administrative officer shall have the same term of office as is prescribed in this article for a director of real property tax services and shall meet all of the requirements provided by this article with respect to qualifications and training of persons holding the office of director of real property tax services. Nothing in this article shall prohibit such county from adopting a local law making this article applicable to such county without regard to the provisions of this subdivision.