§ 318. Certification of assessors. 1. Any person appointed or elected to the office of assessor shall be certified by the commissioner pursuant to this section within a minimum of one year and a maximum of three years after he or she commences his or her term of office, unless he or she has been previously certified by the commissioner and his or her certification has not expired. The period within which each assessor must become certified shall be established by the commissioner by rule based upon one or more general characteristics of the assessing unit or units in which the assessor serves, including, but not limited to (a) number of parcels; (b) classification of parcels by use; and (c) complexity of real property. At least once during each twelve month period preceding the date by which the commissioner requires permanent certification pursuant to this section, each assessor 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 assessor and to the appropriate city or town clerk for filing.

2. An assessor shall be certified upon successful completion of the basic course of training and such examinations as may be prescribed by the commissioner. The basic course of training shall be prescribed by the commissioner in accordance with the classification of assessing units established by the commissioner pursuant to subdivision one of this section.

3. (a) An assessor or assessor-elect may be certified by the commissioner if such person satisfies the minimum qualification standards established by the commissioner for appointed assessors and passes a comprehensive examination conducted by the commissioner. The commissioner shall annually conduct examinations for such purpose. Examinations shall be of such character as to fairly test and determine knowledge, skills and abilities necessary to perform the duties of assessor with respect to appraisal and assessment procedures, applicable laws, rules and regulations and the size and complexity of assessing units.

(b) The commissioner may, in its discretion, waive any of the courses of training or may certify without examination any assessor or assessor-elect, provided that such person is:

(i) a member of the institute of assessing officers of the New York state assessor's association or is a member of the American institute of real estate appraisers; or

(ii) designated as a senior real property appraiser by the society of real estate appraisers; or

(iii) designated a certified assessment evaluator or an accredited assessment evaluator by the international association of assessing officers.

4. Notwithstanding the provisions of this subdivision or any other law, the travel and other actual and necessary expenses incurred by an appointed or elected assessor, or by a person appointed assessor for a forthcoming term, or by an assessor-elect prior to the commencement of his or her term, in satisfactorily completing courses of training as required by this title or as approved by the commissioner, including continuing education courses prescribed by the commissioner which are satisfactorily completed by any elected assessor, shall be a state charge upon audit by the comptroller. Travel and other actual and necessary expenses incurred by an acting assessor who has been exercising the powers and duties of the assessor for a period of at least six months, in attending training courses no earlier than twelve months prior to the date when courses of training and education are required, shall also be a state charge upon audit by the comptroller. Candidates for certification as eligible for the position of assessor, other than assessors or assessors-elect, shall be charged for the cost of training materials and shall be responsible for all other costs incurred by them in connection with such training. Notwithstanding the foregoing provisions of this subdivision, 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.

5. Notwithstanding the provisions of sections three hundred eight and three hundred thirty-four of this title, a village assessor, who satisfies the minimum qualification standards established by the commissioner pursuant to subdivision four of section three hundred ten of this title, may complete the basic course of training prescribed by the commissioner pursuant to this section. Where such training is successfully completed, a village assessor shall be certified as provided by this section.

6. Whenever an individual is appointed to fill a vacancy in an elective office of assessor, the commissioner shall compute any time limitation imposed by this title or any rule adopted pursuant to this title from the next January first following that appointment rather than from the date of that appointment.

7. In a county which has the power to assess real property for purposes of taxation with one assessor appointed as provided in this title, the travel and other actual and necessary expenses incurred by appraisal personnel employed in the office of such assessor in attending courses of training as required by this subdivision shall be a state charge upon audit by the comptroller.

8. To the extent funds are appropriated, all payments pursuant to this section shall be made from the local assistance account.