

STATE OF NEW YORK

10462

IN ASSEMBLY

April 24, 2018

Introduced by M. of A. DAVILA -- (at request of the Office of Court Administration) -- read once and referred to the Committee on Codes

AN ACT to amend the penal law, in relation to the mandatory surcharge for youthful offenders

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

1 Section 1. Subdivision 3 of section 60.02 of the penal law, as amended
2 by section 1 of part Y of chapter 56 of the laws of 2008, is amended to
3 read as follows:

4 (3) The provisions of section 60.35 of this article shall apply to a
5 sentence imposed upon a youthful offender finding and the amount of the
6 [~~mandatory surcharge and~~] crime victim assistance fee which shall be
7 levied at sentencing shall be equal to the amount specified in such
8 section for the offense of conviction for which the youthful offender
9 finding was substituted; provided, however that the court shall not
10 impose the mandatory surcharge, sex offender registration fee, DNA data-
11 bank fee or supplemental sex offender victim fee, as defined in subpara-
12 graphs (iv) and (v) of paragraph (a) and paragraph (b) of subdivision
13 one of section 60.35 of this article, for an offense in which the
14 conviction was substituted with a youthful offender finding.

15 § 2. This act shall take effect immediately.

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

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