

STATE OF NEW YORK

6509

2021-2022 Regular Sessions

IN ASSEMBLY

March 19, 2021

Introduced by M. of A. BARCLAY, MANKTELOW, MORINELLO, BYRNE, LAWLER, GALLAHAN, SALK, LEMONDES, J. M. GIGLIO -- Multi-Sponsored by -- M. of A. BROWN -- read once and referred to the Committee on Correction

AN ACT to amend the executive law, in relation to fees for drug testing and electronic monitoring

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

1 Section 1. Subdivisions 2, 3, 4, and 5 of section 257-c of the executive law are renumbered subdivisions 4, 5, 6, and 7 and two new subdivisions 2 and 3 are added to read as follows:

2 2. Notwithstanding any other provision of law, every county and the
3 city of New York, may adopt a local law requiring individuals currently
4 serving or who shall be sentenced to a period of probation upon
5 conviction of any crime and who are required to submit to drug testing,
6 to pay the local probation department with the responsibility of super-
7 vising the probationer an administrative fee determined by the local
8 probation department. The department shall waive all or part of such fee
9 where, because of the indigence of the offender, the payment of said
10 surcharge would work an unreasonable hardship on the person convicted,
11 his or her immediate family, or any other person who is dependent on
12 such person for financial support.

13 3. Notwithstanding any other provision of law, every county and the
14 city of New York, may adopt a local law requiring individuals currently
15 serving or who shall be sentenced to a period of probation upon
16 conviction of any crime and who are required to submit to electronic
17 monitoring, to pay the local probation department with the responsibil-
18 ity of supervising the probationer an administrative fee determined by
19 the local probation department. The department shall waive all or part
20 of such fee where, because of the indigence of the offender, the payment
21 of said surcharge would work an unreasonable hardship on the person
22
23

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

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1 convicted, his or her immediate family, or any other person who is
2 dependent on such person for financial support.

3 § 2. This act shall take effect immediately; provided the amendments
4 to section 257-c of the executive law made by section one of this act
5 shall not affect the expiration of such section and shall be deemed to
6 expire therewith.