S T A T E O F N E W Y O R K

7064

2009-2010 Regular Sessions

I N A S S E M B L Y

March 19, 2009

Introduced by M. of A. FIELDS, CASTRO, HOOPER -- Multi-Sponsored by -- M. of A. DenDEKKER -- read once and referred to the Committee on Transportation

AN ACT to amend the vehicle and traffic law and the state finance law, in relation to a mandatory surcharge for traffic offenses and infractions in Suffolk and Nassau counties

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

Section 1. The vehicle and traffic law is amended by adding a new section 1809-f to read as follows:

S 1809-F. MANDATORY SURCHARGE REQUIRED FOR TRAFFIC OFFENSES AND INFRACTIONS IN SUFFOLK AND NASSAU COUNTIES. 1. WHENEVER PROCEEDINGS THAT ARE ADJUDICATED IN A COURT IN THE COUNTIES OF SUFFOLK OR NASSAU RESULT IN A CONVICTION FOR A CRIME UNDER THIS CHAPTER OR A TRAFFIC INFRACTION UNDER THIS CHAPTER, OR A LOCAL LAW, ORDINANCE, RULE OR REGULATION ADOPTED PURSUANT TO THIS CHAPTER, THERE SHALL BE LEVIED A MANDATORY SURCHARGE, IN ADDITION TO ANY SENTENCE OR SURCHARGE REQUIRED OR PERMITTED BY LAW, IN THE AMOUNT OF FIFTY DOLLARS.

2. THE ADDITIONAL SURCHARGES PROVIDED FOR IN SUBDIVISION ONE OF THIS SECTION SHALL BE PAID TO THE CLERK OF THE COURT OR ADMINISTRATIVE TRIBUNAL THAT RENDERED THE CONVICTION. WITHIN THE FIRST TEN DAYS OF THE MONTH FOLLOWING COLLECTION OF SUCH SURCHARGES, THE COLLECTING AUTHORITY SHALL PAY SUCH MONEY TO THE STATE COMPTROLLER TO BE DEPOSITED IN THE LONG ISLAND EXPRESSWAY AND SUNRISE HIGHWAY PATROL FUND ESTABLISHED BY SECTION NINETY-SEVEN-JJJJ OF THE STATE FINANCE LAW.

3. THE PROVISIONS OF SUBDIVISION FOUR-A OF SECTION FIVE HUNDRED TEN, SUBDIVISION THREE OF SECTION FIVE HUNDRED FOURTEEN AND SUBDIVISION THREE OF SECTION TWO HUNDRED TWENTY-SEVEN OF THIS CHAPTER GOVERNING ACTIONS WHICH MAY BE TAKEN FOR FAILURE TO PAY A FINE OR PENALTY SHALL BE APPLICABLE TO THE ADDITIONAL SURCHARGE IMPOSED PURSUANT TO THIS SECTION.

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

S 2. The state finance law is amended by adding a new section 97-jjjj to read as follows:

S 97-JJJJ. LONG ISLAND EXPRESSWAY AND SUNRISE HIGHWAY PATROL FUND. 1. THERE IS HEREBY ESTABLISHED IN THE CUSTODY OF THE COMPTROLLER, A SPECIAL FUND TO BE KNOWN AS THE "LONG ISLAND EXPRESSWAY AND SUNRISE HIGHWAY PATROL FUND".

2. SUCH FUND SHALL CONSIST OF ALL MONEYS RECEIVED BY THE STATE PURSUANT TO SECTION EIGHTEEN HUNDRED NINE-F OF THE VEHICLE AND TRAFFIC LAW AND ALL OTHER GRANTS, BEQUESTS OR OTHER MONEYS APPROPRIATED, CREDITED OR TRANSFERRED THERETO FROM ANY OTHER FUND OR SOURCE PURSUANT TO LAW.

3. MONEYS IN THE LONG ISLAND EXPRESSWAY AND SUNRISE HIGHWAY PATROL FUND SHALL BE KEPT SEPARATE AND APART AND SHALL NOT BE COMMINGLED WITH ANY OTHER MONEYS IN THE CUSTODY OF THE COMPTROLLER AND SHALL ONLY BE EXPENDED HEREIN AND IN SUCH AMOUNTS AS APPROVED BY THE DIVISION OF THE BUDGET.

4. THE MONEYS RECEIVED BY SUCH FUND SHALL BE EXPENDED PURSUANT TO APPROPRIATION TO OFFSET THE COSTS OF STAFFING THE PATROL UNITS FOR THE LONG ISLAND EXPRESSWAY AND SUNRISE HIGHWAY IN SUFFOLK AND NASSAU COUNTIES.

S 3. This act shall take effect immediately.