

9082

2009-2010 Regular Sessions

I N A S S E M B L Y

July 27, 2009

Introduced by M. of A. FIELDS -- 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:

- 1 Section 1. The vehicle and traffic law is amended by adding a new
2 section 1809-f to read as follows:
3 S 1809-F. MANDATORY SURCHARGE REQUIRED FOR TRAFFIC OFFENSES AND
4 INFRACTIONS IN SUFFOLK AND NASSAU COUNTIES. 1. WHENEVER PROCEEDINGS THAT
5 ARE ADJUDICATED IN A COURT IN THE COUNTIES OF SUFFOLK OR NASSAU RESULT
6 IN A CONVICTION FOR A CRIME UNDER THIS CHAPTER OR A TRAFFIC INFRACTION
7 UNDER THIS CHAPTER, OR A LOCAL LAW, ORDINANCE, RULE OR REGULATION
8 ADOPTED PURSUANT TO THIS CHAPTER, THERE SHALL BE LEVIED A MANDATORY
9 SURCHARGE, IN ADDITION TO ANY SENTENCE OR SURCHARGE REQUIRED OR PERMIT-
10 TED BY LAW, IN THE AMOUNT OF FIFTY DOLLARS.
11 2. THE ADDITIONAL SURCHARGES PROVIDED FOR IN SUBDIVISION ONE OF THIS
12 SECTION SHALL BE PAID TO THE CLERK OF THE COURT OR ADMINISTRATIVE TRIBU-
13 NAL THAT RENDERED THE CONVICTION. WITHIN THE FIRST TEN DAYS OF THE MONTH
14 FOLLOWING COLLECTION OF SUCH SURCHARGES, THE COLLECTING AUTHORITY SHALL
15 PAY SUCH MONEY TO THE STATE COMPTROLLER TO BE DEPOSITED IN THE LONG
16 ISLAND EXPRESSWAY AND SUNRISE HIGHWAY PATROL FUND ESTABLISHED BY SECTION
17 NINETY-SEVEN-JJJJ OF THE STATE FINANCE LAW.
18 3. THE PROVISIONS OF SUBDIVISION FOUR-A OF SECTION FIVE HUNDRED TEN,
19 SUBDIVISION THREE OF SECTION FIVE HUNDRED FOURTEEN AND SUBDIVISION THREE
20 OF SECTION TWO HUNDRED TWENTY-SEVEN OF THIS CHAPTER GOVERNING ACTIONS
21 WHICH MAY BE TAKEN FOR FAILURE TO PAY A FINE OR PENALTY SHALL BE APPLI-
22 CABLE TO THE ADDITIONAL SURCHARGE IMPOSED PURSUANT TO THIS SECTION.
23 S 2. The state finance law is amended by adding a new section 97-jjjj
24 to read as follows:

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

LBD06131-04-9

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

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

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

14 4. THE MONEYS RECEIVED BY SUCH FUND SHALL BE EXPENDED PURSUANT TO
15 APPROPRIATION TO OFFSET THE COSTS OF RESTORING PATROL STAFF IN SUFFOLK
16 AND NASSAU COUNTY. THE COUNTY POLICE DEPARTMENTS SHALL PATROL WHERE THEY
17 PREVIOUSLY, OR CURRENTLY, PATROL ON THE LONG ISLAND EXPRESSWAY AND
18 SUNRISE HIGHWAY IN SUFFOLK AND NASSAU COUNTIES. THE SEGMENTS ON THE LONG
19 ISLAND EXPRESSWAY, WHICH ARE PATROLLED BY NASSAU COUNTY VILLAGE POLICE
20 DEPARTMENTS, SHALL CONTINUE.

21 S 3. This act shall take effect immediately.