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

8158

2011-2012 Regular Sessions

I N A S S E M B L Y

June 3, 2011

Introduced by M. of A. AUBRY, BOYLE -- Multi-Sponsored by -- M. of A. HEASTIE, LENTOL, LIFTON, O'DONNELL -- read once and referred to the Committee on Codes

AN ACT to amend the criminal procedure law and the insurance law, in relation to charitable bail organizations

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

Section 1. Section 500.10 of the criminal procedure law is amended by adding an new subdivision 21 to read as follows:

21. "CHARITABLE BAIL ORGANIZATION" MEANS A NON-PROFIT ORGANIZATION ORGANIZED UNDER SECTION 501 (C) 3 OF TITLE 26 OF THE UNITED STATES CODE, REGISTERED AS A CHARITY PURSUANT TO ARTICLE SEVEN-A OF THE EXECUTIVE LAW, AND ORGANIZED FOR THE PURPOSE OF POSTING CASH BAIL ON BEHALF OF POOR PERSONS. A CHARITABLE CASH BAIL ORGANIZATION SHALL NOT CHARGE A PREMIUM NOR RECEIVE COMPENSATION FOR CASH BAIL GIVEN OR PROVIDED PURSUANT TO THIS CHAPTER.

S 2. Paragraph 1 of subsection (a) of section 6801 of the insurance law is amended to read as follows:

(1) Any person, firm or corporation, OTHER THAN A CHARITABLE BAIL ORGANIZATION AS DEFINED IN SUBDIVISION TWENTY-ONE OF SECTION 500.10 OF THE CRIMINAL PROCEDURE LAW, in any court having criminal jurisdiction or in any criminal action or proceeding who shall for another deposit money or property as bail or execute as surety any bail bond who within a period of one month prior thereto shall have made such a deposit or given such bail in more than two cases not arising out of the same transaction shall be deemed to be doing a bail bond business and doing an insurance business as defined in article eleven of this chapter.

S 3. This act shall take effect on the ninetieth day after it shall have become a law.

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

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