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

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I N A S S E M B L Y

(PREFILED)

January 4, 2012

Introduced by M. of A. BARCLAY -- Multi-Sponsored by -- M. of A. BLANKENBUSH, OAKS, TENNEY -- read once and referred to the Committee on Governmental Operations

AN ACT to amend the executive law, in relation to the probation administration fee

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

Section 1. Subdivision 1 of section 257-c of the executive law, as added by chapter 55 of the laws of 1992, is amended to read as follows:

1. Notwithstanding any other provision of law, every county and the city of New York, may adopt a local law requiring individuals currently serving or who shall be sentenced to a period of probation upon conviction of any crime [under article thirty-one of the vehicle and traffic law] to pay to the local probation department with the responsibility of supervising the probationer an administrative fee of thirty dollars per month. The department shall waive all or part of such fee where, because of the indigence of the offender, the payment of said surcharge would work an unreasonable hardship on the person convicted, his or her immediate family, or any other person who is dependent on such person for financial support.

S 2. This act shall take effect on the one hundred twentieth day after it shall have become a law; provided, however, that the amendments to subdivision 1 of section 257-c of the executive law made by section one of this act shall not affect the expiration of such section and shall be deemed to expire therewith. Effective immediately, the addition, amendment and/or repeal of any rule or regulation necessary for the implementation of this act on its effective date is authorized to be made on or before such date.

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

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