

5734

2011-2012 Regular Sessions

I N S E N A T E

June 14, 2011

Introduced by Sen. RIVERA -- read twice and ordered printed, and when printed to be committed to the Committee on Rules

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:

- 1 Section 1. Section 500.10 of the criminal procedure law is amended by
2 adding an new subdivision 21 to read as follows:
3 21. "CHARITABLE BAIL ORGANIZATION" MEANS A NON-PROFIT ORGANIZATION
4 ORGANIZED UNDER SECTION 501 (C) 3 OF TITLE 26 OF THE UNITED STATES CODE,
5 REGISTERED AS A CHARITY PURSUANT TO ARTICLE SEVEN-A OF THE EXECUTIVE
6 LAW, AND ORGANIZED FOR THE PURPOSE OF POSTING CASH BAIL ON BEHALF OF
7 POOR PERSONS. A CHARITABLE CASH BAIL ORGANIZATION SHALL NOT CHARGE A
8 PREMIUM NOR RECEIVE COMPENSATION FOR CASH BAIL GIVEN OR PROVIDED PURSU-
9 ANT TO THIS CHAPTER.
10 S 2. Paragraph 1 of subsection (a) of section 6801 of the insurance
11 law is amended to read as follows:
12 (1) Any person, firm or corporation, OTHER THAN A CHARITABLE BAIL
13 ORGANIZATION AS DEFINED IN SUBDIVISION TWENTY-ONE OF SECTION 500.10 OF
14 THE CRIMINAL PROCEDURE LAW, in any court having criminal jurisdiction or
15 in any criminal action or proceeding who shall for another deposit money
16 or property as bail or execute as surety any bail bond who within a
17 period of one month prior thereto shall have made such a deposit or
18 given such bail in more than two cases not arising out of the same tran-
19 saction shall be deemed to be doing a bail bond business and doing an
20 insurance business as defined in article eleven of this chapter.
21 S 3. This act shall take effect on the ninetieth day after it shall
22 have become a law.

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

LBD11896-01-1