STATE OF NEW YORK

5799

2019-2020 Regular Sessions

IN ASSEMBLY

February 19, 2019

Introduced by M. of A. BARCLAY, FINCH, MANKTELOW, MORINELLO, BYRNE -- Multi-Sponsored by -- M. of A. SALKA -- read once and referred to the Committee on Correction

AN ACT to amend the executive law, in relation to fees for drug testing and electronic monitoring

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

Section 1. Subdivisions 2, 3, 4, and 5 of section 257-c of the executive law are renumbered subdivisions 4, 5, 6, and 7 and two new subdivisions 2 and 3 are added to read as follows:

2. 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 and who are required to submit to drug testing, to pay the local probation department with the responsibility of supervising the probationer an administrative fee determined by the local probation department. 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.

3. 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 and who are required to submit to electronic monitoring, to pay the local probation department with the responsibility of supervising the probationer an administrative fee determined by the local probation department. 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

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

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convicted, his or her immediate family, or any other person who is dependent on such person for financial support.

§ 2. This act shall take effect immediately; provided the amendments to 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.