STATE OF NEW YORK

494

2019-2020 Regular Sessions

IN SENATE

(Prefiled)

January 9, 2019

Introduced by Sens. RIVERA, KRUEGER, PARKER, SEPULVEDA -- read twice and ordered printed, and when printed to be committed to the Committee on Insurance

AN ACT to amend 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. Paragraph 4 of subsection (a) and subsection (b) of section 6805 of the insurance law, as added by chapter 181 of the laws of 2012, are amended to read as follows:

(4) A charitable bail organization certificate shall be valid for a term of five years from issuance. At the time of application for every such certificate, [~~and for every renewal thereof,~~] an applicant shall pay to the superintendent a sum of [~~one thousand~~] five hundred dollars payable each term or fraction of a term, provided, however, that in his or her discretion, the superintendent may waive such fee.

(b) A charitable bail organization shall:

(1) only deposit money as bail in the amount of [~~two~~] ten thousand dollars or less for a defendant charged with one or more [~~misdemeanors~~] offenses, as defined in subdivision one of section 10.00 of the penal law, provided, however, that such organization shall not execute as surety any bond for any defendant;

(2) only deposit money as bail on behalf of a person who is financially unable to post bail, which may constitute a portion or the whole amount of such bail; and

(3) [~~only deposit money as bail in one county in this state. Provided, however, that a charitable bail organization whose principal place of business is located within a city of a million or more may deposit money as bail in the five counties comprising such city; and~~]

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

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~~(4)~~] not charge a premium or receive compensation for acting as a charitable bail organization.

§ 2. This act shall take effect immediately; provided that the amendments to subsection (b) of section 6805 of the insurance law made by section one of this act shall take effect on the ninetieth day after it shall have become a law.