STATE OF NEW YORK

2870

2019-2020 Regular Sessions

IN SENATE

January 30, 2019

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

AN ACT to amend the criminal procedure law, in relation to requiring town attorneys to institute proceedings to collect fines, restitution or reparation in towns contained within Nassau county

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

Section 1. Section 420.20 of the criminal procedure law, as amended by chapter 290 of the laws of 1980, is amended to read as follows:

§ 420.20 Collection of fines, restitution or reparation imposed upon corporations.

Where a corporation is sentenced to pay a fine, restitution or reparation, the fine, restitution or reparation must be paid at the time sentence is imposed. If the fine, restitution or reparation is not so paid, it may be collected in the same manner as a judgment in a civil action, and if execution issued upon such judgment be returned unsatisfied an action may be brought in the name of the people of the state of New York to procure a judgment sequestering the property of the corporation, as provided by the business corporation law. It is the duty of the attorney general in all criminal proceedings prosecuted by him, and, in all other proceedings, the county attorney for counties outside the city of New York, **or the town attorney for all proceedings prosecuted by such town attorney for towns contained within Nassau county,** and, in the city of New York the corporation counsel of the city of New York, to institute proceedings to collect such fine, restitution or reparation.

§ 2. This act shall take effect immediately.

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

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