STATE OF NEW YORK

4599

2021-2022 Regular Sessions

IN ASSEMBLY

February 4, 2021

Introduced by M. of A. O'DONNELL -- read once and referred to the Committee on Judiciary

AN ACT to amend the judiciary law, in relation to requiring the chief administrator of the courts to establish an online payment option for posting bail

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

Section 1. Paragraph (j) of subdivision 2 of section 212 of the judiciary law, as amended by chapter 457 of the laws of 2005, is amended to read as follows:

(j) Notwithstanding any provision of law, rule or regulation to the contrary, establish a system**, including an option for online payment,** for the posting of bail and the payment of fines, mandatory surcharges, court fees, and other monies payable to a court, county clerk in his or her capacity as clerk of court, or the office of court administration, or to a sheriff upon enforcing a court order or delivering a court mandate pursuant to article eighty of the civil practice law and rules, by means of a credit card or similar device. Notwithstanding any provision of law to the contrary, the chief administrator may require a party making a payment in such manner also to pay a reasonable administrative fee. In establishing such system, the chief administrator shall seek the assistance of the state comptroller who shall assist in developing such system so as to ensure that such funds shall be returned to any jurisdiction which, by law, may be entitled to them. The chief administrator shall periodically accord the head of each police department or police force and of any state department, agency, board, commission or public authority having police officers who fix pre-arraignment [~~bail pursuant to section 150.30 of the criminal procedure law~~] an opportunity to have the system established pursuant to this paragraph apply to the posting of pre-arraignment bail with police officers under his or her jurisdiction.

§ 2. This act shall take effect on the one hundred eightieth day after it shall have become a law.

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

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