STATE OF NEW YORK

10615

IN ASSEMBLY

March 13, 2026

Introduced by M. of A. TAGUE -- read once and referred to the Committee on Ways and Means

AN ACT to amend the financial services law, in relation to establishing the office of justice court fee recovery; and to amend the state finance law, in relation to establishing the justice court fee reimbursement fund

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

Section 1. Legislative intent. It shall be the public policy of this state to aggressively pursue the collection of fees in criminal actions or proceedings due and payable to town and village courts through all reasonable means. Many town and village courts do not have the resources to pursue debt collection. The office of justice court fee recovery established within the department of financial services shall serve as a fee-collecting entity for any town or village courts of the state that elect to participate in the program established pursuant to this act.

§ 2. The financial services law is amended by adding a new article 11 to read as follows:

ARTICLE 11

JUSTICE COURT FEE RECOVERY

Section 1101. Definitions.
1102. Office of justice court fee recovery.
1103. Assumption of delinquent fees.

§ 1101. Definitions. As used in this article:

1. "Justice court" means any town or village court.

2. "Office" shall mean the office of justice court fee recovery.

§ 1102. Office of justice court fee recovery. The superintendent, in cooperation with the chief administrator of the courts, shall establish an office within the department called the office of justice court fee recovery, which shall be charged with collecting fees in criminal actions and other proceedings on behalf of justice courts. The office shall implement a program where delinquent fees in criminal actions and other proceedings certified pursuant to section eleven hundred three of this article shall be collected by the state, and all portions of such

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

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fees that are not property to the state shall be reimbursed to the town or village from the justice court fee reimbursement account established pursuant to section ninety-nine-uu of the state finance law on a monthly basis. A town or village may opt to participate in the program but shall not be required to participate.

§ 1103. Assumption of delinquent fees. 1. A town or village that elects to participate in the program established pursuant to this section may certify to the office that a fee imposed in a criminal action or proceeding remains unpaid for a period of not less than ninety days, or such other period as the superintendent may establish by regulation.

2. Upon certification, the office shall assume responsibility for the collection of such fee. Any fee so assumed shall thereafter be deemed a debt owed to the state, and the state shall be authorized to pursue collection through all lawful means.

3. Upon assumption of collection responsibility, the state shall reimburse the participating town or village for the local share of the unpaid fee from the justice court fee reimbursement account established pursuant to section ninety-nine-uu of the state finance law, in an amount and manner determined by the superintendent.

4. The superintendent shall promulgate rules and regulations necessary to implement and carry out the provisions of this section.

§ 3. The state finance law is amended by adding a new section 99-uu to read as follows:

§ 99-uu. Justice court fee reimbursement fund. 1. There is hereby established in the joint custody of the superintendent of financial services and the comptroller a special fund to be known as the "justice court fee reimbursement fund".

2. Such fund shall consist of all moneys collected by the state from delinquent fees imposed by town and village courts that are assumed by the state pursuant to section eleven hundred three of the financial services law, any additional moneys appropriated, credited or transferred to such fund by the legislature, and any interest earned by the investment of moneys in such fund. Any interest earned by the investment of moneys in such fund shall be added to and become part of such fund.

3. Moneys of the fund shall be available, subject to appropriation, for the reimbursement of participating towns and villages for the local share of delinquent justice court fees assumed by the state pursuant to section eleven hundred three of the financial services law. Reimbursement from the fund shall not create an entitlement to any town or village.

4. On or before the first day of February of each calendar year, the superintendent of financial services shall provide a written report to the temporary president of the senate, the minority leader of the senate, the speaker of the assembly, the minority leader of the assembly, the chair of the senate finance committee, the ranker of the senate finance committee, the chair of the assembly ways and means committee, the ranker of the assembly ways and means committee, the state comptroller, and the public. Such report shall include how the moneys of the fund were utilized during the preceding calendar year, and shall include:

(a) the total amount of moneys deposited into the fund;

(b) the total amount of reimbursements made to towns and villages;

(c) the number of participating justice courts; and

(d) a summary financial plan for the fund, including estimates of receipts and disbursements for the current and succeeding fiscal years.

5. On or before the first day of February of each calendar year, the comptroller shall certify to the governor, the temporary president of the senate, the minority leader of the senate, the speaker of the assembly, the minority leader of the assembly, the chair of the senate finance committee, the ranker of the senate finance committee, the chair of the assembly ways and means committee, and the ranker of the assembly ways and means committee, the amount of money deposited into the justice court fee reimbursement account during the preceding calendar year.

6. Moneys shall be paid out of the fund on the audit and warrant of the comptroller on vouchers approved and certified by the superintendent of financial services. Any interest received by the comptroller on moneys on deposit in the justice court fee reimbursement account shall be retained in and become part of such fund.

§ 4. This act shall take effect one year after it shall have become a law. Effective immediately, the addition, amendment and/or repeal of any rule or regulation necessary for the implementation of this act on its effective date are authorized to be made and completed on or before such effective date.