

# 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:

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

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

### ARTICLE 11

#### JUSTICE COURT FEE RECOVERY

##### Section 1101. Definitions.

14 1102. Office of justice court fee recovery.

15 1103. Assumption of delinquent fees.

16 § 1101. Definitions. As used in this article:

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

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

19 § 1102. Office of justice court fee recovery. The superintendent, in  
20 cooperation with the chief administrator of the courts, shall establish  
21 an office within the department called the office of justice court fee  
22 recovery, which shall be charged with collecting fees in criminal  
23 actions and other proceedings on behalf of justice courts. The office  
24 shall implement a program where delinquent fees in criminal actions and  
25 other proceedings certified pursuant to section eleven hundred three of  
26 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.

LBD14260-02-6

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

6 § 1103. Assumption of delinquent fees. 1. A town or village that  
7 elects to participate in the program established pursuant to this  
8 section may certify to the office that a fee imposed in a criminal  
9 action or proceeding remains unpaid for a period of not less than ninety  
10 days, or such other period as the superintendent may establish by regu-  
11 lation.

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

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

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

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

25 § 99-uu. Justice court fee reimbursement fund. 1. There is hereby  
26 established in the joint custody of the superintendent of financial  
27 services and the comptroller a special fund to be known as the "justice  
28 court fee reimbursement fund".

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

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

42 4. On or before the first day of February of each calendar year, the  
43 superintendent of financial services shall provide a written report to  
44 the temporary president of the senate, the minority leader of the  
45 senate, the speaker of the assembly, the minority leader of the assem-  
46 bly, the chair of the senate finance committee, the ranker of the senate  
47 finance committee, the chair of the assembly ways and means committee,  
48 the ranker of the assembly ways and means committee, the state comp-  
49 troller, and the public. Such report shall include how the moneys of the  
50 fund were utilized during the preceding calendar year, and shall  
51 include:

52 (a) the total amount of moneys deposited into the fund;  
53 (b) the total amount of reimbursements made to towns and villages;  
54 (c) the number of participating justice courts; and  
55 (d) a summary financial plan for the fund, including estimates of  
56 receipts and disbursements for the current and succeeding fiscal years.

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

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

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