

STATE OF NEW YORK

2207

2025-2026 Regular Sessions

IN SENATE

January 15, 2025

Introduced by Sen. ORTT -- 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 payment of certain costs associated with the psychiatric examination of defendants to determine mental fitness

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

1 Section 1. Subdivision 7 of section 730.20 of the criminal procedure
2 law, as amended by chapter 692 of the laws of 1972, is amended to read
3 as follows:

4 7. A psychiatric examiner is entitled to [~~his~~] reasonable traveling
5 expenses, a fee of fifty dollars for each examination of a defendant and
6 a fee of fifty dollars for each appearance at a court hearing or trial
7 but not exceeding two hundred dollars in fees for examination and testi-
8 mony in any one case; except that if such psychiatric examiner be an
9 employee of the state of New York [~~he~~] they shall be entitled only to
10 reasonable traveling expenses, unless such psychiatric examiner makes
11 the examination or appears at a court hearing or trial outside [~~his~~]
12 their hours of state employment in a county in which the director of
13 community mental health services certifies to the fiscal officer thereof
14 that there is a shortage of qualified psychiatrists available to conduct
15 examinations under the criminal procedure law in such county, in which
16 event [~~he~~] such examiner shall be entitled to the foregoing fees and
17 reasonable traveling expenses. Such fees and traveling expenses and the
18 costs of sending a defendant to another place of detention or to a
19 hospital for examination, of [~~his~~] their maintenance therein and of
20 returning [~~him~~] such defendant shall, when approved by the court, be a
21 charge of the [~~county in which the defendant is being tried~~] state.

22 § 2. This act shall take effect immediately and shall apply to
23 expenses occurring on and after such date.

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

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