§ 71-0507. Actions for penalties generally.

1. Actions for penalties for violation of any provisions of this chapter listed in section 71-0501 or under titles 5 through 15 inclusive and title 33 of this article, except as otherwise expressly provided,

a. Shall be in the name of the "People of the State of New York";

b. Must be brought on order of the department; and

c. May be compromised, settled and discontinued as provided in sections 71-0505 and 71-0519 and subdivision 11 of section 11-0505.

2. Such actions, if in justices' courts, may be brought in any town of the county in which the penalty is incurred, or, if the defendant resides in another county, in any town of the county in which the defendant resides.

3. Moneys received by a town justice or a village justice in any action for a penalty brought under the provisions of this chapter listed in section 71-0501 of titles 5 through 15 inclusive and title 33 or upon the settlement or compromise thereof, or a fine for a violation of the provisions of this chapter listed in section 71-0501 and titles 5 through 15 inclusive and title 33 of this article shall be paid to the State Comptroller as provided in section 27 of the Town Law and section 4-410 of the village law. From the moneys so received, the State Comptroller shall pay all lawful fees for services rendered in such actions when instituted by order of the department or upon information of a conservation officer, regional and assistant regional conservation officer, special game protector, district ranger, forest ranger, or member of the state police. The balance of such moneys arising from penalties under articles 11 or 13 or title 9 of this article or upon the settlement or compromise thereof or from fines for violations of any of the provisions of articles 11 or 13 or title 9 of this article after the payment of lawful fees shall be credited by the Comptroller to the conservation fund. The Comptroller shall adjust and settle his account with the conservation fund in the manner provided by section 99-a of the

State Finance Law. The balance of all other such moneys after payment of lawful fees shall be credited by the Comptroller to the general fund.

4. All moneys received by any other person or court in an action for a penalty brought under the provisions of this chapter listed in section 71-0501 and titles 5 through 15 inclusive and title 33 of this article or upon the settlement or compromise thereof, or a fine for a violation of the provisions of this chapter listed in section 71-0501 and titles 5 through 15 inclusive and title 33 of this article, shall be paid by such person or court to the department within thirty days after receipt thereof. The department shall pay the expenses of collection and the lawful fees of magistrates and constables for services performed in criminal actions brought upon information of a conservation officer, regional and assistant regional conservation officer, special game protector, district ranger, forest ranger, or member of the state police. Such moneys derived from fines or penalties for violations of articles 11 or 13 or title 9 of this article or from the settlement or compromise thereof shall be paid by the department to the Commissioner of Taxation and Finance and credited to the conservation fund. All other moneys so received by the department shall be paid to the Commissioner of Taxation and Finance and credited to the general fund.