§ 99-m. Cash bail and partially secured bail bond; fee for deposit of money. 1. When, pursuant to the provisions of title P of the criminal procedure law or the provisions of the family court act, a sum of money deposited in connection with a cash bail or a partially secured bail bond is received by a court or other authorized public servant or agency, such money shall be deposited in the same manner as may be by law provided for the deposit of money generally received by such court, public servant or agency. Except as otherwise provided herein, the county treasurer, or, in the city of New York, the commissioner of finance, shall be entitled to a fee of two per centum of the amount of money so deposited and an additional fee of one per centum as provided in subdivision three of this section. Where the money received by a state-paid court hereunder is not deposited with any other officer or agency but is retained by the court, the clerk of such court shall be entitled to a fee of two per centum of the amount of money so retained, and an additional fee of one per centum to be disbursed as provided in subdivision three of this section. All fees collected hereunder by the clerk of a state-paid court shall be paid to the state commissioner of taxation and finance on a monthly basis not later than ten days after the last day of each month. Except as otherwise provided by an order issued pursuant to section 420.10 of the criminal procedure law, upon the exoneration or remission of the bail, the money so deposited, less such fee, shall, by order of the appropriate court, be refunded to the person who originally deposited such money. Upon a termination of the criminal action or proceeding in favor of the accused, as defined in subdivision two of section 160.50 of the criminal procedure law, the two per centum fee so retained shall, by order of the appropriate court, be refunded to the person who originally deposited such money.

2. A town or village court shall be entitled to a fee of two per centum of the amount of bail money deposited with the court in connection with a criminal action or proceeding over which the court retains jurisdiction, other than an action or proceeding in which the accusatory instrument charges one or more traffic infractions only, and an additional fee of one per centum as provided herein. The total fees on a sum of bail shall not, however, exceed three per centum and a town or village court shall not be entitled to collect such fees on bail

transferred to a superior court. All fees on bail collected by a town or village court shall be paid to the state comptroller by the court on or before the tenth day of the month next succeeding their collection, except as provided in subdivision three of section ninety-nine-a of the state finance law. Two per centum of the bail moneys so collected shall be the property of the town or village in which the court reporting the same is located, and the additional one per centum of such bail moneys shall be disbursed as provided in subdivision three of this section, and shall be used to fund the alternatives to incarceration service plan approved pursuant to article thirteen-A of the executive law for the county in which the town or village is located.

3. The county treasurer, or, in the city of New York, the commissioner of finance, shall be entitled to an additional fee of one per centum of the money deposited pursuant to the provisions of title P of the criminal procedure law or the provisions of the family court act, and shall deposit such money as an additional credit to the alternatives to incarceration service plan approved pursuant to article thirteen-A of the executive law for such city and each county outside of the city of New York.

4. The additional one per centum fee collected pursuant to the provisions of this section shall not be used to decrease any money approved to fund the alternatives to incarceration service plan approved pursuant to article thirteen-A of the executive law. Upon a termination of the criminal action or proceeding in favor of the accused, as provided in subdivision two of section 160.50 of the criminal procedure law, the one per centum fee shall, by order of the appropriate court, be refunded to the person who originally deposited such money.