§ 1912. Actions in which no fees to be charged; employees; actions by governmental units.

(a) Employee's action. When the action is brought by an employee against an employer for services performed by such employee, the clerk shall not demand or receive any fees whatsoever from the plaintiff or his attorney, if the plaintiff shall present proof by his own affidavit that his demand does not exceed three hundred dollars exclusive of interest and costs; that he is a resident of or an employee in the county; that he has a good and meritorious cause of action against the defendant and the nature thereof; and that he has made either a written or a personal demand upon the defendant or his agent for payment thereof and payment was refused; provided that if the plaintiff shall demand a trial by jury, he must pay to the clerk the fees therefor.

(b) Actions by governmental units. In an action brought in the name of the people of the state of New York by the attorney general or the district attorney of the county, or in the name of the county or of any department, board or officer thereof, by the county attorney of the county, or in the name of any special district by the commissioners thereof, or in the name of any village by the village counsel, or in the name of any school district by the board of education or trustees thereof, for the recovery of a penalty, or in the name of a town by the town attorney, or in the name of the trustees of a town by the trustees for the recovery of a penalty, the recovery of money damages, or the enforcement of a local law, ordinance or regulation, no fees shall be required to be paid by the plaintiff to the clerk and no costs shall be taxed against the plaintiff; but in case such plaintiff recovers judgment, the costs and taxable disbursements shall be included therein, and if collected shall be accounted for.