

Local Law Filing

NEW YORK STATE DEPARTMENT OF STATE
162 WASHINGTON AVENUE, ALBANY, NY 12231

(Use this form to file a local law with the Secretary of State.)

Text of law should be given as amended. Do not include matter being eliminated and do not use italics or underlining to indicate new matter.

County

~~City~~ of Clinton
~~Town~~
~~Village~~

Local Law No. 2 of the year 1994

A local law ESTABLISHING A FEE FOR THE ADMINISTRATION OF PERSONS
(Insert Title)
SENTENCED TO PROBATION FOR THE CONVICTION OF ANY CRIME
UNDER ARTICLE THIRTY-ONE OF THE NEW YORK STATE VEHICLE
AND TRAFFIC LAW

Be it enacted by the Legislature of the
(Name of Legislative Body)

County

~~City~~ of Clinton County as follows:
~~Town~~
~~Village~~

1. Pursuant to Sectn. 257-c of the New York State Executive Law, the Director of Probation shall have the power to establish and charge an administrative fee in certain cases of persons sentenced to Probation.
2. This fee shall be established in every case where the Court orders an individual sentenced to Probation for the conviction of any crime under article thirty-one of the New York State Vehicle and Traffic Law.
3. Every such person sentenced to Probation for the conviction of an alcohol and/or drug related offense, as defined under article thirty-one of the New York State Vehicle and Traffic Law, shall pay an administrative fee of thirty dollars (\$30) per month payable to the Clinton County Director of Probation.
4. When conditions of probation require the person under supervision to submit to alcohol and/or drug testing, the person will be required to pay \$10 toward the cost of testing.
5. Said fees shall be utilized in accordance with Section 257-c (5) of the New York State Executive Law.

(If additional space is needed, attach pages the same size as this sheet, and number each.)

6. The Director of Probation shall have the power to waive all or part of such fee where, because of the indigence of the offender, the payment of said fee would work an unreasonable hardship on the person convicted, his or her immediate family, or any other person who is dependent on such person for financial support.
7. It will apply to all those persons currently serving a term of Probation imposed under a conviction of an offense under article thirty-one of the New York State Vehicle and Traffic Law.
8. Provisions of Section 420.10 (6) of the Criminal Procedure Law shall govern for purposes of collection. In the event of non-payment of any fees which have not been waived, the County may seek to enforce payment in any manner permitted by law for enforcement of a debt. This fee shall not constitute nor be imposed as a condition of Probation.
9. Monies collected must be utilized for Clinton County Probation Services, and will not be considered when determining regular probation state aid reimbursement, nor will they be used to replace federal funds otherwise available for probation services.

This local law shall become effective on filing of same with the Secretary of State.

(Complete the certification in the paragraph that applies to the filing of this local law and strike out that which is not applicable.)

1. (Final adoption by local legislative body only.)

I hereby certify that the local law annexed hereto, designated as local law No. 2 of 1994 of the (County)(City)(Town)(Village) of Clinton was duly passed by the Clinton County Legislature on Oct. 12 1994 in accordance with the applicable provisions of law.
Name of Legislative Body

2. (Passage by local legislative body with approval, no disapproval or repassage after disapproval by the Elective Chief Executive Officer*.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 19____ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 19____, and was (approved)(not approved)(repassed after disapproval) by the _____ and was deemed duly adopted on _____ 19____ in accordance with the applicable provisions of law.
Name of Legislative Body
*Elective Chief Executive Officer**

3. (Final adoption by referendum.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 19____ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 19____, and was (approved)(not approved)(repassed after disapproval) by the _____ on _____ 19____. Such local law was submitted to the people by reason of a (mandatory)(permissive) referendum, and received the affirmative vote of a majority of the qualified electors voting thereon at the (general)(special)(annual) election held on _____ 19____ in accordance with the applicable provisions of law.
Name of Legislative Body
*Elective Chief Executive Officer**

4. (Subject to permissive referendum and final adoption because no valid petition was filed requesting referendum.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 19____ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 19____, and was (approved)(not approved)(repassed after disapproval) by the _____ on _____ 19____. Such local law was subject to permissive referendum and no valid petition requesting such referendum was filed as of _____ 19____ in accordance with the applicable provisions of law.
Name of Legislative Body
*Elective Chief Executive Officer**

* Elective Chief Executive Officer means or includes the chief executive officer of a county elected on a county-wide basis or, if there be none, the chairperson of the county legislative body, the mayor of a city or village, or the supervisor of a town where such officer is vested with the power to approve or veto local laws or ordinances.

5. (City local law concerning Charter revision proposed by petition.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 19____ of the City of _____ having been submitted to referendum pursuant to the provisions of section (36)(37) of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of such city voting thereon at the (special)(general) election held on _____ 19____, became operative.

6. (County local law concerning adoption of Charter.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 19____ of the County of _____ State of New York, having been submitted to the electors at the General Election of November _____ 19____, pursuant to subdivisions 5 and 7 of section 33 of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of the cities of said county as a unit and a majority of the qualified electors of the towns of said county considered as a unit voting at said general election, became operative.

(If any other authorized form of final adoption has been followed, please provide an appropriate certification.)

I further certify that I have compared the preceding local law with the original on file in this office and that the same is a correct transcript therefrom and of the whole of such original local law, and was finally adopted in the manner indicated in paragraph _____ above.

William F. Biegel

Clerk of the County legislative body, City, Town or Village Clerk
or officer designated by local legislative body

(Seal)

Date: October 13, 1994

(Certification to be executed by County Attorney, Corporation Counsel, Town Attorney, Village Attorney or other authorized attorney of locality.)

STATE OF NEW YORK
COUNTY OF Clinton

I, the undersigned, hereby certify that the foregoing local law contains the correct text and that all proper proceedings have been had or taken for the enactment of the local law annexed hereto.

Mark Rogers

Signature Mark Rogers, Esq.

Assistant County Attorney

Title

County
~~City~~ of Clinton
~~Town~~
~~Village~~

Date: October 13, 1994