



COUNTY OF OTSEGO, NEW YORK
LOCAL LAW NO. 2 OF 1992

A LOCAL LAW PURSUANT TO SECTION 257-c EXECUTIVE LAW
AUTHORIZING OTSEGO COUNTY PROBATION DEPARTMENT TO
TO COLLECT ADMINISTRATIVE FEE OF \$30.00 PER MONTH

BE IT ENACTED by the Board of Representatives of the County
of Otsego, New York, as follows:

SECTION ONE

Pursuant to Section 257-c of the Executive Law, Otsego County does hereby adopt this local law requiring individuals currently serving or who shall be sentenced to a period of probation upon conviction of any crime under Article 31 of the Vehicle and Traffic Law (Alcohol and Drug-Related Offenses - DWI, DWAI) to pay to the local probation department supervising such individual, an administrative fee of \$30 per month. The Otsego County Probation Department shall waive all or part of such fee, where because of indigence of the offender, payment would work an unreasonable hardship on person convicted, his/her immediately family, or any other person dependent on the probationer for financial support. 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. Monies collected must be utilized for probation services by the Otsego County Probation Department and will not be considered when determining regular probation state aid reimbursement. Monies collected shall not be used to replace federal funds otherwise available for probation services; and

SECTION TWO

This local law shall take effect immediately.

This local law is offered by the Public Safety and Legal
Affairs Committee.



RESOLUTION NO. 171

RESOLUTION - APPROVING LOCAL LAW
PURSUANT TO SECTION 257-c EXECUTIVE
LAW AUTHORIZING OTSEGO COUNTY
PROBATION DEPARTMENT TO COLLECT
ADMINISTRATIVE FEE OF \$30.00 PER
MONTH

HENDERSON, GATES, WINSOR

WHEREAS, Section 257-c of the Executive Law as now enacted permits every county and the City of New York to adopt a local law requiring individuals currently serving or who shall be sentenced to a period of probation upon conviction of any crime under Article 31 of the Vehicle and Traffic Law (Alcohol and Drug-Related Offenses - DWI, DWAI) to pay to the local probation department supervising such individual, an administrative fee of \$30 per month. The Otsego County Probation Department shall waive all or part of such fee, where because of indigence of the offender, payment would work an unreasonable hardship on person convicted, his/her immediate family, or any other person dependent on the probationer for financial support. 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. Monies collected must be utilized for probation services by the Otsego County Probation Department and will not be considered when determining regular probation state aid reimbursement. Monies collected shall not be used to replace federal funds otherwise available for probation services; and

WHEREAS, Otsego County believes it appropriate to enact such local law; now, therefore, be it

RESOLVED, Otsego County, by its Board of Representatives, does hereby enact the above local law authorizing the Otsego County Probation Department to collect an administrative fee of \$30.00 per month pursuant to Section 257-c Executive Law.