

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

Town

Village

of Clinton

Local Law No. 3 of the year 2003

A local law Establishing Fees for the Administration of
(insert title)
Certain Probation Services of the Clinton County
Probation Department

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

County

City

Town

Village

of Clinton as follows:

- §1. Any individual currently sentenced or who shall be sentenced to a period of probation supervision, except those individuals responsible for supervision fees pursuant to Clinton County Local Law No. 2 of 1994, shall pay the Clinton County Department of Probation an administrative fee of thirty dollars per month for probation services from the time the probation period is commenced until said probation period is terminated.
- §2. Any individual appearing before a Court, for whom a pre-sentence or pre-plea investigation is either mandatory or ordered by the Court pursuant to New York State Criminal Procedure Law Section 390.20, shall pay the Clinton County Department of Probation a fee of not less than \$50 nor more than \$300 per investigation pursuant to a fee schedule as established annually by the Clinton County Probation Director.
- §3. Any individual, whenever a Court pursuant to New York State Correction Law Section 702-3 orders the Clinton County Department of Probation to complete a certificate of relief from disabilities investigation on an eligible offender, shall pay the Clinton County Department of Probation a fee of not less than \$50 nor more than \$300 per investigation pursuant to a fee schedule as established annually by the Clinton County Probation Director.

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

- §4. Any individual currently sentenced or who shall be sentenced to a period of interim probation supervision or probation supervision, and who is required to submit to electronic monitoring by the Court pursuant to New York State Penal Law Section 65.10(4), shall pay the Clinton County Department of Probation a fee of not more than \$5 per day in addition to payment of any and all other costs associated with the electronic monitoring device.
- §5. Any individual, when as a condition of probation and/or court order is required to submit to an alcohol and/or drug testing procedure, shall pay the Clinton County Department of Probation a fee of \$10 per test.
- §6. The Probation Director of the Clinton County Department of Probation shall have the power to waive all or any part of such fees where, due to the indigence of the individual the payment of said fee would result in an undue hardship on the individual, his or her immediate family, or other person(s) dependent upon such person for financial support.
- §7. Provisions of Section 420.10 (6) of the New York State Criminal Procedure Law shall govern for purposes of collection. In the event of non-payment of any fees not otherwise 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.
- §8. Monies collected hereunder must be utilized as revenue for the Clinton County Department of Probation.
- §9. This local law shall take effect immediately upon filing with the Secretary of State of the State of New York.

(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. 3 of the (County)(City)(Town)(Village) of Clinton was duly passed by the Clinton County Legislature on Nov. 25, 2003 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 20 of the (County)(City)(Town)(Village) of was duly passed by the on , and was (approved)(not approved)(repassed after disapproval) by the and was deemed duly adopted on 20 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 20 of the (County)(City)(Town)(Village) of was duly passed by the on 20, and was (approved)(not approved)(repassed after disapproval) by the on 20. 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 20 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 20 of the (County)(City)(Town)(Village) of was duly passed by the on 20, and was (approved)(not approved)(repassed after disapproval) by the on 20. Such local law was subject to permissive referendum and no valid petition requesting such referendum was filed as of , 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 20____ 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 _____ 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 20____ of the County of _____ State of New York, having been submitted to the electors at the General Election of November _____ 20____ 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.


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

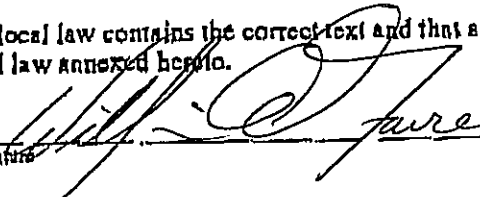
(Seal)

Date: November 25, 2003

(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.


Signature _____
Assistant County Attorney
Title _____

County _____
City of Clinton
Town _____
Village _____

Date: November 25, 2003