

LOCAL LAW NO. 14-92
CHAUTAUQUA COUNTY

A LOCAL LAW AMENDING FEES FOR COUNTY OF CHAUTAUQUA OFFICE OF PROBATION

BE IT ENACTED, by the County Legislature of the County of Chautauqua, New York as follows:

Section 1. Purpose. The purpose of this Local Law is to amend the fees for the Chautauqua County Office of Probation as established by Local Law 11-91 pursuant to amendments to the Family Court Act and Executive Law.

Section 2. Section 1. Fees. A. Probation Department is hereby amended as follows:

Delete all text and insert the following:

A. Office of Probation.

(1) Custody and Visitation Investigation Fees. Pursuant to Family Court At Section 252-A, the Office of Probation may collection fees for custody and visitation investigations. Such fees shall be set at a minimum of Fifty (\$50) dollars and a maximum of Five Hundred (\$500) dollars based on the party's ability to pay the fee. The schedule of payment and the apportionment of the fee between the parties shall be determined by the court, upon recommendation of the Director of Probation or his designee.

(2) Probation Administration Fee. Pursuant to Executive Law Section 257-C, the Office of Probation shall collect thirty (\$30) dollars per month from 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. Such fee may be waived in whole or in part at the discretion of the Director of Probation pursuant to rules and regulations and, in accordance with Executive Law Section 257-C and State Law determined by the Chautauqua County Executive.

(3) Alcohol and Drug Testing Fees. Those individuals currently serving or who shall be sentenced to a period of probation, and who are required to submit to breath, alcohol, urine or blood screening tests as a condition of probation, shall pay a drug testing fee. Such fee shall be in the amount of Ten (\$10) dollars per test or the actual cost of the test whichever is greater. This fee may be waived in whole or part by the Director of Probation pursuant to rules and regulations and, in accordance with State Law determined by the Chautauqua County Executive.

Section 3. Effective Date. This local law shall take effect immediately upon filing with the New York State Secretary of State.

Introduced: 9/9/92

Adopted: 9/23/92

Public Hearing: 10/6/92 (R/C Vote: 19 Yes; 5 No; 2 Absent) No's: Bargar, Beightol, Larson,

Adopted as LL 14-92 Snyder, Taylor Absent: Davies, Tarnowski