



STEUBEN COUNTY
LEGISLATURE

RE: County of Steuben, Local Law 1 2012, filed on August 28, 2012

Dear Sir/Madam:

County City Town Village
(Select one.)

of STEUBEN

Local Law No. ONE of the year 2012

A local law RELATIVE TO ESTABLISHING A FEE FOR THE ADMINISTRATION OF ALCOHOL
(Insert Title)
AND/OR DRUG TESTING OF PERSONS SENTENCED TO A CONDITIONAL
SENTENCE FOR THE CONVICTION OF ANY CRIME.

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

County City Town Village
(Select one.)

of STEUBEN

as follows:

SECTION 1: LEGISLATIVE INTENT

It is the intent of the within local law to require individuals currently serving or who shall be sentenced to a period of a conditional sentence as such term as defined under the New York State Penal Law upon his/her conviction of any crime to pay the Steuben County Probation Department an administrative fee of thirty dollars (\$30.00) per month where such person is sentenced to a term of probation, as well as one hundred dollars (\$100.00) fee for the cost of any alcohol and/or drug testing.

SECTION 2: ESTABLISHMENT OF FEES AND COSTS

All individuals currently serving or who shall be sentenced to a conditional sentence as that term is defined under the New York State Penal Law upon his/her conviction of any crime, and/or who is or shall be subject to a term of interim probation where the recited conditional sentence and/or interim probation requires such person to submit to alcohol and/or drug testing, said person shall pay the sum of one hundred dollars (\$100.00) to the Steuben County Probation Department for the cost of said testing. In the event the Steuben County Probation Department is charged with the responsibility of supervising such person, then such person shall pay to the Steuben County Probation Department an administrative fee of thirty dollars (\$30.00) per month.

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

SECTION 3: INDIGENTS

The Steuben County Probation Department shall waive all or part of such fees where, because of the indigence of the offender, the payment of said charge would work an unreasonable hardship on the person convicted, his or her immediate family or any other person who is dependent upon such person for financial support.

SECTION 4: IMPLEMENTATION AND ADMINISTRATION OF THE PROBATION FEES AND COSTS

Implementation and administration of the probation administrative fees and costs of testing shall be in accordance with Section 257-c of the Executive Law.

SECTION 5: SEVERABILITY

In the event any portion hereof shall be declared unenforceable, the balance of the local law remaining shall be in full force and effect.

SECTION 6: EFFECTIVE DATE

This local law shall become effective upon final adoption.

(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. 1 of 20 12 of the (County)(City)(Town)(Village) of STEUBEN was duly passed by the LEGISLATURE on 3/26 20 12, 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 _____ 20 _____, and was (approved)(not approved) *(Name of Legislative Body)* (repassed after disapproval) by the _____ and was deemed duly adopted *(Elective Chief Executive Officer*)* on _____ 20 _____, in accordance with the applicable provisions of law.~~

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) *(Name of Legislative Body)* (repassed after disapproval) by the _____ on _____ 20 _____ *(Elective Chief Executive Officer*)*

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.

~~**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) *(Name of Legislative Body)* (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 _____ 20 _____, in accordance with the applicable provisions of law.~~

* 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 _____ 20 ____, 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 1 above.

Brenda K Mori

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

Date: 8/15/12

(Seal)