



Legislation Text

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Int. No. 1531-A

By The Speaker (Council Member Mark-Viverito) and Council Members Crowley, Dromm, Richards, Levin, Lancman, Menchaca, Cohen and Kallos

A Local Law to amend the administrative code of the city of New York, in relation to requiring the department of correction to efficiently facilitate the processing of bail payments

Be it enacted by the Council as follows:

Section 1. Chapter 1 of Title 9 of the administrative code of the city of New York is amended by adding a new section 9-148 to read as follows:

§ 9-148 Bail payments and processing.

a. The department shall accept cash bail payments immediately and continuously after an inmate is admitted to the custody of the department, except on such dates on which an inmate appears in court other than an arraignment in criminal court.

b. The department shall release any inmate for whom bail or bond has been paid or posted within the required time period of the later of such payment being made or the department's receipt of notice thereof, provided that if an inmate cannot be released within the required time period due to extreme and unusual circumstances then such inmate shall be released as soon as possible. Such timeframe may be extended when any of the following occurs, provided that the inmate's release shall be forthwith as that term is used in section 520.15 of the criminal procedure law:

1. The inmate receives discharge planning services prior to release;
2. The inmate has a warrant or hold from another jurisdiction or agency;
3. The inmate is being transported at the time bail or bond is paid or posted;

4. The inmate is not in departmental custody at the time bail or bond is paid or posted;

5. The inmate requires immediate medical or mental health treatment; or

6. Section 520.30 of the criminal procedure law necessitates a delay.

c. The department shall accept or facilitate the acceptance of cash bail payments for inmates in the custody of the department: (i) at any courthouse of the New York City Criminal Court, (ii) at any location within one half mile of any such courthouse during all operating hours of such courthouse and at least two hours subsequent to such courthouse's closing, or (iii) online.

d. For the purposes of subdivision b, the term "required time period" means five hours beginning on October 1, 2017, four hours beginning on April 1, 2018, and three hours beginning on October 1, 2018.

§ 2. This local law takes effect on October 1, 2017, except that subdivisions a and c of section 9-148 of the administrative code of the city of New York, as added by this local law, take effect six months after this local law becomes law.

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