

Part KK¹

A BUDGET BILL submitted by the Governor
in accordance with Article VII of the Constitution

AN ACT to amend chapter 503 of the laws of 2009 relating to the disposition of monies recovered by county district attorneys before the filing of an accusatory instrument, in relation to the use of such monies

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

1 Section 1. Sections 1 and 2 of part H of chapter 503 of the laws of
2 2009 relating to the disposition of monies recovered by county district
3 attorneys before the filing of an accusatory instrument, are amended to
4 read as follows:

5 Section 1. When a county district attorney of a county located in a
6 city of one million or more recovers monies before the filing of an
7 accusatory instrument as defined in subdivision 1 of section 1.20 of the
8 criminal procedure law, after injured parties have been appropriately
9 compensated, the district attorney's office shall retain a percentage of
10 the remaining such monies in recognition that such monies were recovered
11 as a result of investigations undertaken by [the district attorney's]
12 such office. The total amount of such monies to be retained by the coun-
13 ty district attorney's office shall equal ten percent of the first twen-
14 ty-five million dollars received by such office during the state fiscal
15 year, plus seven and one-half percent of such monies received by such
16 office in excess of twenty-five million dollars but less than fifty
17 million dollars, plus five percent of any such monies received by such
18 office in excess of fifty million dollars but less than one hundred
19 million dollars, plus one percent of such monies received by such office
20 in excess of one hundred million dollars. The remainder of such monies

1 shall be paid by the district attorney's office to the state and to the
2 county in equal amounts within thirty days of receipt, where disposition
3 of such monies is not otherwise prescribed by law. Monies distributed
4 to a county district attorney's office pursuant to this section shall be
5 used to enhance law enforcement efforts and shall not supplant funds for
6 ordinary budgetary costs including salaries of personnel and expenses of
7 district attorneys.

8 § 2. This act shall take effect immediately and shall remain in full
9 force and effect until the last day of March, [2010] 2011, when it shall
10 expire and be deemed repealed.

11 § 2. This act shall take effect immediately; provided, however, that
12 the amendments made to section 1 of chapter 503 of the laws of 2009 made
13 by section one of this act shall not affect the repeal of such section
14 and shall be deemed to be repealed therewith.