



**THE COUNCIL OF THE CITY OF NEW YORK  
FINANCE DIVISION**

**TANISHA EDWARDS, CFO AND DEPUTY CHIEF  
OF STAFF TO THE SPEAKER**

**RICHARD LEE, DIRECTOR**

**FISCAL IMPACT STATEMENT**

**PROPOSED INT. NO.: 825**

**COMMITTEE: Criminal Justice**

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**TITLE:** A Local Law to amend the administrative code of the city of New York, in relation to returning funds remaining in commissary accounts when incarcerated individuals are released from custody

**SPONSORS:** Council Members Hudson, Nurse, the Public Advocate (Mr. Williams), Brewer, Riley, Restler, Farías, Hanif and Cabán

**SUMMARY OF LEGISLATION:** Int. 825 would require the Department of Correction to inform persons in custody how much money remains in their commissary account and return all unused commissary funds, in cash, prior to an individual leaving the department's custody.

**EFFECTIVE DATE:** 180 days after becoming law

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**CITY COUNCIL ESTIMATE:**

	<b>Effective FY26</b>	<b>FY Succeeding Effective FY27</b>	<b>Full Fiscal Impact FY26</b>
<b>Revenues (+)</b>	\$0	\$0	\$0
<b>Expenditures (-)</b>	\$537,000	\$0	\$537,000
<b>Net</b>	(\$537,000)	\$0	(\$537,000)

**FISCAL YEAR IN WHICH PROPOSED LOCAL LAW WOULD FIRST BECOME EFFECTIVE:** Fiscal 2026

**FISCAL YEAR IN WHICH FULL FISCAL IMPACT ANTICIPATED:** Fiscal 2026

**IMPACT ON REVENUES:** It is estimated that there will be no impact on revenue because unused commissary deposits are not recognized by the revenue budget and are instead held in an off-budget account.

**IMPACT ON EXPENDITURES:** It is anticipated that this legislation would require infrastructure upgrades costing \$537,000 in the first year of its enactment. DOC would use existing resources to fulfill any additional Personal Services requirements.

**SOURCE OF FUNDS TO COVER ESTIMATED COSTS:** General Fund

**SOURCE OF INFORMATION:** New York City Council Finance Division  
New York City Department of Correction  
Mayor's Office of Management and Budget

**ESTIMATE PREPARED BY:** Casey Lajszky, Financial Analyst

**ESTIMATE REVIEWED BY:** Jack Storey, Unit Head  
Eisha Wright, Deputy Director  
Nicholas Connell, Counsel  
Jonathan Rosenberg, Managing Director

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**OFFICE OF MANAGEMENT AND BUDGET (OMB) ESTIMATE:** OMB provided a cost estimate which is attached, in full. The New York City Council is not in agreement with this cost estimate.

According to OMB, the implementation of this legislation is projected to cost \$1.5 million in the first fiscal year, and \$1 million annually each succeeding year. This cost includes \$804,000 for Personal Services (PS) for the hiring of 15 additional staff and \$200,000 for overtime expenses as well as \$500,000 for infrastructure upgrades and a one-time need of \$37,500 for the purchase of three large safes

The Council estimates that the Department should be able to utilize existing personnel to implement this process, as there is currently a 13 percent vacancy rate among civilian positions and funding for unfilled positions could be utilized to support the above-mentioned new positions. The Council is in agreement with the estimate of a one-time cost of \$537,000 for infrastructure upgrades and the purchase of three large safes.

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**LEGISLATIVE HISTORY:** The legislation was introduced to the Council on April 18, 2024, as Int. No. 825 and referred to the Committee on Criminal Justice (the Committee). This legislation is scheduled to be considered by the Committee at a hearing on January 30, 2025.

**DATE PREPARED:** January 27, 2025