



## Legislation Text

---

**File #:** Int 1199-2018, **Version:** \*

---

Int. No. 1199

By Council Members Powers, Lancman, Brannan, Cohen, Dromm, Yeger, Treyger, Ampy-Samuel, Rosenthal, Gibson, Richards, Kallos, Levin, Rivera, Adams, Levine, Lander, Cumbo, Ayala, Reynoso and Chin

A Local Law to amend the administrative code of the city of New York, in relation to removing fees associated with credit card bail payments and in relation to allowing online bail payment to be made by direct deposit and electronic check

Be it enacted by the Council as follows:

Section 1. Subdivision 3 of section 11-105 of the administrative code of the city of New York, as amended by chapter 309 of the laws of 1996, is amended to read as follows:

3. Notwithstanding any other provision of law to the contrary, any agency or department of the city which, pursuant to an agreement entered into under this section, accepts credit cards as a means of payment of fines, civil penalties, taxes, fees, rent, rates, charges or other amounts owed by a person to the city shall be authorized to charge and collect from any person offering a credit card as a means of payment of a fine a reasonable and uniform fee as a condition of accepting such credit card in payment of a fine, civil penalty, tax, fee, rent, rate, charge or other amount. Such fee shall not exceed the cost incurred by the agency or department in connection with such credit card transaction, which cost shall include any fee payable by the city to the financing agency. Notwithstanding the foregoing, no such fee may be assessed on a payment of cash bail.

§ 2. Section 9-148 of the administrative code of the city of New York, as added by local law number 123 for the year 2017, is amended by adding new subdivisions e and f to read as follows:

e. For cash bail payments paid or posted online, the department shall make available an option for payment to be made by direct deposit or electronic check.

f. Definitions. As used in this section, the following terms have the following meanings:

Direct deposit. The term “direct deposit” means any electronic funds transfer from the account of a payer into the account of a payee.

Electronic check. The term “electronic check” means any transfer of funds originated by check, draft or similar paper instrument, which is initiated through an electronic terminal, telephonic instrument or computer so as to order, instruct or authorize a financial institution to debit or credit an account.

Electronic funds transfer. The term “electronic funds transfer” means any transfer of funds, other than a transaction originated by check, draft or similar paper instrument, which is initiated through an electronic terminal, telephonic instrument or computer so as to order, instruct or authorize a financial institution to debit or credit an account.

Payee. The term “payee” means the department or any agency or department of the city authorized to collect cash bail payments.

Payer. The term “payer” means any person making a cash bail payment.

§ 3. This local law takes effect immediately.

AS  
LS # 6778, 6840, 7912  
10/25/18