



Legislation Text

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Int. No. 7

By Council Members Avella, Comrie, Gerson, Jackson, Reed, Sears, Weprin, Yassky, Nelson, Stewart and Gennaro

A Local Law to amend the administrative code of the city of New York, in relation to the collection of claims on behalf of the city of New York.

Be it enacted by the Council as follows:

Section 1. Chapter 3 of Title 3 of the administrative code of the city of New York is hereby amended by adding a new §3-321 to read as follows:

§3-321 a. The comptroller shall compromise, settle or adjust all claims on behalf of the city of New York. City agencies shall forward all reports of property damage in such form as prescribed by the comptroller within two weeks of notice to the agency of the property damage. If the comptroller is unable to compromise, settle or adjust a claim, the comptroller shall refer the matter to the corporation counsel for appropriate legal action.

b. Incentive/Reward Program. Any money collected or received by the comptroller pursuant to subdivision a of this section shall be paid in the following manner:

- (i) The forwarding agency shall receive 20 percent of the proceeds obtained by the comptroller on its claims; these monies may be used to establish risk management initiatives, or to fund pre-existing risk management programs of said agency.
- (ii) The remaining 80 percent of the proceeds shall be paid into the general fund of the city of New York.
- (iii) Where funds are collected or received by the comptroller pursuant to subdivision a of

this section based upon information furnished by an individual or individuals and where the comptroller determines, in the exercise of his or her discretion, that such information, in conjunction with collection activities conducted by the comptroller's office, has resulted in the collection of said funds, the comptroller shall offer as a reward to such individual or individuals an amount that, in the aggregate, is:

- (a) Up to ten percent of the collected funds, up to a maximum of \$500 per affirmative claim.

In determining the amount of the reward, the comptroller shall consider factors that include, but are not limited to: (1) the type of property damaged; (2) the specificity of the information provided, including but not limited to, the license plate number, make or model or other description of the vehicle alleged to have been used, the location, date or time of the alleged incident causing damage, and the description of the individual or individuals alleged to have caused the damage.

- (iv) No peace officer, employee of the comptroller's office or forwarding agency, or employee of any governmental entity involved in the furtherance of subsection a of this section, shall be entitled to obtain the benefit of any such reward or obtain the benefit of such reward when acting in the discharge of his or her official duties.

§2. This local law shall take effect immediately.