



CENTER FOR COMMUNITY ALTERNATIVES

INNOVATIVE SOLUTIONS FOR JUSTICE

INCREASED MANDATORY SURCHARGES AND CRIME VICTIMS ASSISTANCE FEES

ENACTED BY BUDGET BILL 2008-2009 SIGNED BY GOVERNOR PATERSON 04/09/08

Penalty	Law	Current Surcharge/Fee	New Surcharge/Fee	Effective
Mandatory Felony Surcharge	PL & VTL (§1192 Felony)	\$250	\$300	7/1/08
Mandatory Misdemeanor Surcharge	PL & VTL (§1192 Misdemeanor)	\$140	\$175	7/1/08
Mandatory Violation Surcharge	PL	\$75	\$95	7/1/08
Mandatory Offense Surcharge Selected Offense in §1809(1)(c)	VTL	\$45	\$55	7/1/08
Mandatory Surcharge	VTL (Article 9 Infractions)	\$25	\$25	No Change
Additional Surcharge (VTL §1809-c)	VTL (§1192)	\$25	\$25	No Change
Second Additional Surcharge (VTL §1809-e)	VTL (§1192)	New	\$170	8/1/08
Additional Surcharge (VTL §1809-e)	VTL (Selected Traffic Offenses)	New	\$20	8/1/08
Crime Victim Assistance Fee	PL (Felony, Misdemeanor & Violation)	\$20	\$25	7/1/08
Crime Victim Assistance Fee	VTL §1192 Felony & Misdemeanor	\$20	\$25	7/1/08
Crime Victim Assistance Fee	VTL (Article 9 Infractions)	\$5	\$5	No Change
Crime Victim Assistance Fee	VTL (Selected Offenses in §1809(1)(c))	\$5	\$5	No Change

New Fees, Surcharges and Clarification of YO Fees

- Youthful Offender Fees - Penal Law §60.02(3) and §60.35(10) have been amended to clarify that although a YO is subject to the mandatory surcharge and crime victim assistance fee, a YO is not subject to the Sex Offender Registration Fee, the DNA Databank Fee, or the Supplemental Sex Offender Victim Fee. This change is effective retroactive to 2/20/05.
- Criminal History Search - Effective 4/9/08 the fee for a criminal history search through OCA is increased from \$52 to \$55.
- Additional Surcharges added by new VTL §1809-e
 - \$20 additional surcharge for VTL offenses specified in §1809-e
 - \$170 second additional surcharge for any DWAI or DWI conviction in addition to the existing additional surcharge of \$25 imposed pursuant to §1809-c (hence second additional).

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