

LOCAL LAW NO. 5-03  
CHAUTAUQUA COUNTY

A LOCAL LAW TO AMEND LOCAL LAW 11-96 (ESTABLISHING FEES FOR VARIOUS  
COUNTY DEPARTMENTS)

BE IT ENACTED, by the County Legislature of the County of Chautauqua, New York,  
as follows:

Section 1. Local Law Number 11-96, Section A is hereby amended to read as follows:

A. PROBATION DEPARTMENT

(1) Custody and Visitation Investigation Fee. Pursuant to Family Court Act § 252-a, the Probation Department shall collect a fee for custody and visitation investigations. Such fee shall be not less than \$50. nor more than \$500. and shall be based on the party's ability to pay, in accordance with the rules and regulations promulgated by the Director of Probation. No fees shall be charged in any action in which the Chautauqua County Department of Social Services is named as petitioner or respondent.

(2) Probation Administrative Fee. Pursuant to Executive Law § 257-c, the Probation Department shall collect \$30. per month from individuals currently serving or who shall be sentenced to a period of probation upon conviction of any crime under Article 31 of the Vehicle and Traffic Law. This fee may be waived in whole or in part by the Probation Department in accordance with the rules and regulations promulgated by the Director of Probation.

(3) Alcohol and Drug Testing Fee. Persons currently serving or who shall be sentenced to a period of probation, and who are required to submit to blood, breath, or urine testing as a condition of probation, shall pay a drug-testing fee. Such fee shall be in the amount of \$10. per test or the actual costs of the test, whichever is greater. This fee may be waived in whole or part by the Probation Department in accordance with the rules and regulations promulgated by the Director of Probation.

(4) Probation Supervision Fee. The Probation Department shall collect \$30. per month from individuals currently serving or who shall be sentenced to a period of probation upon conviction or for Youthful Offender Adjudication for any crime or while being supervised on Interim Probation Supervision. This fee may be waived in whole or part by the Probation Department in accordance with the rules and regulations promulgated by the Director of Probation.

(5) Electronic Home Monitoring Fee. Persons participating in the Electronic Home Monitoring Program shall be charged a per diem fee not to exceed \$40. per day. The fee shall be based upon the party's ability to pay, in accordance with the rules and regulations promulgated by the Director of Probation.

(6) Presentence Investigation Reports. The Probation department shall collect a fee of \$1. per page from person authorized to receive copies of presentence investigation reports. Written requests shall be accompanied by a copy of the court order authorizing receipt of such report. This fee may be waived in whole or part by

the Probation Department in accordance with the rules and regulations promulgated by the Director of Probation.

Section 2. This Local Law shall become effective upon filing with the Secretary of State.

L Aid on desks: 3/26/03  
Adopted: 4/23/03  
Public hearing: 5/9/03  
Filed w/ State: 5/13/03  
**Adopted as Local Law 5-03**