



ALLIANCE OF NEW YORK STATE YMCAs
**YOUTH AND GOVERNMENT
Legislative Bill**

Bill # 39

Referred to Committee:
3

Authors: Sophie Zhou, Nadia Alzoubi, and Ana Wegman
Twelve Corners Middle School

WWW.YMCANYS.ORG/YAG

Action on the Bill

Assembly

Senate

___ ☐ Passed

___ ☐ Passed

___ ☐ Defeated

___ ☐ Defeated

AN ACT TO: Amend NYS Penal Law - I 80.05 to change civil offense fines to be based upon a person's daily income.

**The People of the State of New York, represented in the
Senate and Assembly do enact as follows:**

Purpose

The purpose of this bill is to allow people of all economic backgrounds to be able to efficiently pay civil fines. When civilians are charged with a fine for a civil crime, the cost of the fine is determined by the civilian's tax returns. This allows fines to be affordable for all economic classes because the value of a fine can be greater as compared to the financial state of some civilians.

Summary of Provisions

Section 1: Definitions

Civil Crime- Any crime that when committed it would not require any jail time unless one fails to pay the fine. An example of a civil crime would be speeding, unlawful parking, j-walking, vandalism.

Section 2:

4. Violation. A sentence to pay a fine for a violation shall be a sentence to pay an amount, ~~fixed by the court, not exceeding two hundred fifty dollars.~~ When one commits a civil offense, their fines are calculated based on one-fourth the current fine amount plus one eighth of the offender's daily income, taking basic living expenses (including any children they may have) into consideration.

In the case of a violation defined outside this chapter, if the amount of the fine is expressly specified in the law or ordinance that defines the offense, ~~the amount of the fine shall be fixed in accordance with that law or ordinance.~~ That fine shall now be calculated using this chapter.

Justification

There are several reasons why New York State needs this bill. One pressing issue that we have in New York is poverty. People with limited money have a top priority of basic human needs, and often fines for petty civil crimes will lead some to debt. Those who do not have enough money to pay civil crime fines will be incarcerated as per New York law. However, the price for prisoners in jail cells is extremely expensive, and it adds onto the tax citizens must pay. If the bill is enacted, civil crime fines will become more affordable, causing less people being incarcerated and the amount of taxes others pay being lowered. This would lead to a better economy and positive monetary gain.

Fiscal Implications

The bill would have to require a large sum of money to carry out and enact because the New York government would need to calculate the system for the fines and create a more accurate database of civilian's tax returns and income. However, the money lost during this process would quickly be repaid because of the financial benefits the bill will have on the economy. Since less people are in jail, it is less money the government has to pay on prisoners.

Effective Date

This bill will go into effect two years after passage.