

5221--A

Cal. No. 733

2011-2012 Regular Sessions

I N S E N A T E

May 3, 2011

Introduced by Sen. FUSCHILLO -- read twice and ordered printed, and when printed to be committed to the Committee on Crime Victims, Crime and Correction -- recommitted to the Committee on Crime Victims, Crime and Correction in accordance with Senate Rule 6, sec. 8 -- reported favorably from said committee and committed to the Committee on Finance -- reported favorably from said committee, ordered to first and second report, ordered to a third reading, amended and ordered reprinted, retaining its place in the order of third reading

AN ACT to amend the executive law, in relation to an ignition interlock device

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

1 Section 1. Subdivision 15-a of section 259-c of the executive law, as
2 amended by section 38-b of subpart A of part C of chapter 62 of the laws
3 of 2011, is amended to read as follows:
4 15-a. Notwithstanding any other provision of law, where a person is
5 serving a sentence for a violation of section 120.03, 120.04, 120.04-a,
6 125.12, 125.13 or 125.14 of the penal law, or a felony as defined in
7 paragraph (c) of subdivision one of section eleven hundred ninety-three
8 of the vehicle and traffic law, if such person is released on parole or
9 conditional release the board shall require as a mandatory condition of
10 such release, that such person install and maintain, in accordance with
11 the provisions of section eleven hundred ninety-eight of the vehicle and
12 traffic law, an ignition interlock device in any motor vehicle owned or
13 operated by such person during the term of such parole or conditional
14 release for such crime. THE DEPARTMENT OF CORRECTIONS AND COMMUNITY
15 SUPERVISION SHALL MAINTAIN THE RESPONSIBILITY AND COSTS OF MONITORING
16 ANY PERSON RELEASED ON PAROLE WITH THE MANDATORY REQUIREMENT OF INSTAL-
17 LATION OF AN IGNITION INTERLOCK DEVICE ON HIS OR HER MOTOR VEHICLE.
18 Provided further, however, the board may not otherwise authorize the
19 operation of a motor vehicle by any person whose license or privilege to
20 operate a motor vehicle has been revoked pursuant to the provisions of
21 the vehicle and traffic law.
22 S 2. This act shall take effect immediately.

EXPLANATION--Matter in ITALICS (underscored) is new; matter in brackets
[] is old law to be omitted.

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