

# STATE OF NEW YORK

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3885

2017-2018 Regular Sessions

## IN SENATE

January 27, 2017

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Introduced by Sen. RANZENHOFER -- read twice and ordered printed, and  
when printed to be committed to the Committee on Transportation

AN ACT to amend the penal law, in relation to increasing the length of  
probation and conditional discharge for misdemeanor violations of  
operating a motor vehicle while under the influence of alcohol or  
drugs

The People of the State of New York, represented in Senate and Assem-  
bly, do enact as follows:

1 Section 1. Paragraph (d) of subdivision 3 of section 65.00 of the  
2 penal law, as amended by chapter 556 of the laws of 2013, is amended to  
3 read as follows:

4 (d) (i) For an unclassified misdemeanor, the period of probation shall  
5 be [~~a term of two or~~] three years if the authorized sentence of impri-  
6 sonment is in excess of three months, otherwise the period of probation  
7 shall be one year.

8 (ii) For a violation of subdivision two, two-a or three of section  
9 eleven hundred ninety-two of the vehicle and traffic law, the period of  
10 probation shall be five years.

11 § 2. Paragraph (a) of subdivision 3 of section 65.05 of the penal law,  
12 as amended by chapter 618 of the laws of 1992, is amended to read as  
13 follows:

14 (a) Three years in the case of a felony or a violation of subdivision  
15 two, two-a or three of section eleven hundred ninety-two of the vehicle  
16 and traffic law; and

17 § 3. This act shall take effect on the ninetieth day after it shall  
18 have become a law.

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

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