STATE OF NEW YORK

3310

2019-2020 Regular Sessions

IN SENATE

February 5, 2019

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

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 Assembly, do enact as follows:

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

(d) **(i)** For an unclassified misdemeanor, the period of probation shall be [~~a term of two or~~] three years if the authorized sentence of imprisonment is in excess of three months, otherwise the period of probation shall be one year.

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

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

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

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

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

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