

# STATE OF NEW YORK

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8842

## IN SENATE

July 22, 2020

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

AN ACT directing the commissioner of health to study the effectiveness and accuracy of devices used to estimate blood alcohol content by law enforcement agencies

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

- 1 Section 1. The commissioner of health is authorized and directed to  
2 study the effectiveness and accuracy of devices used to estimate blood  
3 alcohol content by law enforcement agencies. Such study shall include,  
4 but not be limited to:  
5 (a) which devices are used by law enforcement agencies;  
6 (b) the accuracy of devices used by law enforcement agencies;  
7 (c) the margin of error for devices which are used by law enforcement  
8 agencies;  
9 (d) the likelihood of an inaccurate reading; and  
10 (e) any other related information that the commissioner may deem  
11 necessary or relevant in carrying out this study.  
12 § 2. The commissioner of health shall make a report to the governor  
13 and the legislature of his or her findings, conclusions and recommenda-  
14 tions no later than one year after the effective date of this act and  
15 shall submit with this report such legislative proposals as it deems  
16 necessary to implement its recommendations.  
17 § 3. 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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