

# STATE OF NEW YORK

8326--A

## IN SENATE

January 18, 2024

Introduced by Sen. FERNANDEZ -- read twice and ordered printed, and when printed to be committed to the Committee on Health -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT directing the commissioner of criminal justice services 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 criminal justice services is authorized  
2 and directed to study the effectiveness and accuracy of devices used to  
3 estimate blood alcohol content by law enforcement agencies. Such study  
4 shall include, 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 such commissioner may deem  
11 necessary or relevant in carrying out this study.  
12 § 2. The commissioner of criminal justice services shall make a report  
13 to the governor and the legislature of their findings, conclusions and  
14 recommendations no later than one year after the effective date of this  
15 act and shall submit with this report such legislative proposals as it  
16 deems 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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