STATE OF NEW YORK

3630

2025-2026 Regular Sessions

IN SENATE

January 29, 2025

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

AN ACT directing the commissioner of the division 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:

Section 1. The commissioner of the division of criminal justice services is authorized and directed to study the effectiveness and accuracy of devices used to estimate blood alcohol content by law enforcement agencies. Such study shall include, but not be limited to:

(a) which devices are used by law enforcement agencies;

(b) the accuracy of devices used by law enforcement agencies;

(c) the margin of error for devices which are used by law enforcement agencies;

(d) the likelihood of an inaccurate reading; and

(e) any other related information that such commissioner may deem necessary or relevant in carrying out this study.

§ 2. The commissioner of the division of criminal justice services shall make a report to the governor and the legislature of their findings, conclusions and recommendations no later than one year after the effective date of this act and shall submit with this report such legislative proposals as it deems necessary to implement its recommendations.

§ 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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