



NEW YORK STATE SENATOR

John A. DeFrancisco

## GOVERNOR CUOMO SIGNS TIFFANY HEITKAMP'S LAW

JOHN A. DEFRANCISCO August 17, 2016

| ISSUE: **SEA OR BOAT, CRIME AND CORRECTION**



Syracuse, NY (8/16/16) - Senator John A. DeFrancisco (R-I-C, Syracuse) today announced that Governor Cuomo has signed his bill (S3785-A) to enact Tiffany Heitkamp's law.

The legislation is named after the late Tiffany Heitkamp, a Syracuse woman who was killed in 2006, while riding in a boat that was operated by an intoxicated individual with a history of alcohol-related automobile incidents. However, because there was no linkage in statute between Boating While Intoxicated (BWI) and Driving While Intoxicated (DWI) laws, the driver of the boat was only charged after the crash as a first-time offender.

Tiffany Heitkamp's law will now require a sentencing judge in a BWI case to consider prior DWI offenses. Therefore, by creating this requirement, a judge will be directed to impose stiffer penalties upon sentencing including larger fines and incarceration.

"When someone has a history of operating a vehicle or vessel while under the influence of alcohol or drugs, that record should be taken into account when the individual is sentenced," said Senator DeFrancisco. "Repeat offenders should be held accountable for their history of dangerous actions to help deter further tragedies."

"I am very pleased that Governor Cuomo has signed this important bill into law to help improve the safety of our roadways and waterways. I also would like to commend MaryJo Heitkamp-France on her advocacy to help get this legislation passed," concluded Senator DeFrancisco.

Senator DeFrancisco and Assembly William Magnarelli held a joint press conference at the State Office Building in Syracuse on August 17, 2016, with Tiffany's mother, MaryJo Heitkamp-France, to talk about the legislation and what it will mean for future boaters in the State of New York.

#####

---

#### RELATED LEGISLATION

---

**2015-S3785A**

---

- Introduced
  - In Committee Assembly
  - In Committee Senate
- ◦ On Floor Calendar Assembly
  - On Floor Calendar Senate
- ◦ Passed Assembly
  - Passed Senate
- Delivered to Governor
- Signed By Governor
- 

Makes certain convictions for operating under the influence predicates for other operating under the influence convictions

February 17, 2015

Senate Floor Calendar

Sponsored by **John A. DeFrancisco**

Do you support this bill?