

S T A T E O F N E W Y O R K

291--A

2011-2012 Regular Sessions

I N A S S E M B L Y

(PREFILED)

January 5, 2011

Introduced by M. of A. LANCMAN, GABRYSZAK, CASTRO, JAFFEE -- Multi-Sponsored by -- M. of A. BARRON, BURLING, CALHOUN, COOK, CROUCH, GALEF, GLICK, JEFFRIES, McDONOUGH, McENENY, RAIA, REILLY, TITONE, WEISENBERG -- read once and referred to the Committee on Codes -- recommitted to the Committee on Codes in accordance with Assembly Rule 3, sec. 2 -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT in relation to requiring notification to certain federal and state agencies when certain persons with diplomatic immunity violate the law

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

- 1 Section 1. This act shall be known and may be cited as the "diplomat-
2 ic immunity notification act".
- 3 S 2. 1. Each incident, occurrence or circumstance where a person
4 protected from detention, arrest, and/or prosecution by diplomatic immu-
5 nity was in fact arrested, or would have been arrested but for their
6 diplomatic immunity by a law enforcement or police agency concerning a
7 potential crime that would be punishable as a misdemeanor or a felony,
8 shall be reported by such agency to the division of criminal justice
9 services and to the United States Department of State Bureau of Diplo-
10 matic Security.
- 11 2. Such report shall include the name of the person protected by
12 diplomatic immunity; the person's title, position and/or assignment in
13 the United States; and the date, time, location and nature of the inci-
14 dent, including the potential penal law violations prompting such person
15 having been, or who would have been arrested but for their diplomatic
16 immunity.
- 17 3. On an annual basis the division of criminal justice services shall
18 issue a statistical report about the number of incidents reported pursu-

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

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1 ant to subdivisions 1 and 2 of this section to the governor, temporary
2 president of the senate, minority leader of the senate, speaker of the
3 assembly, and minority leader of the assembly. Such report shall also be
4 transmitted to the United States Department of State Bureau of Diplomati-
5 c Security. Such report shall not disclose any personally identifying
6 information.
7 4. Reports created pursuant to this section and any information
8 contained therein shall be confidential and shall not be disclosed or
9 redisclosed to any unauthorized person or entity. Nothing contained in
10 this section shall be interpreted to prohibit disclosure of information
11 as required by federal law.
12 S 3. This act shall take effect immediately.