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

391

2011-2012 Regular Sessions

I N S E N A T E

(PREFILED)

January 5, 2011

Introduced by Sen. KRUEGER -- read twice and ordered printed, and when printed to be committed to the Committee on Investigations and Government Operations

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:

Section 1. This act shall be known and may be cited as the "diplomatic immunity notification act".

S 2. 1. Each incident, occurrence or circumstance where a person protected from detention, arrest, and/or prosecution by diplomatic immunity was in fact arrested, or would have been arrested but for their diplomatic immunity by a law enforcement or police agency concerning a potential violation of the penal law of the state of New York shall be reported by such agency to the following:

(a) the United States department of state;

(b) the secretary-general of the United Nations;

(c) the ambassador or chief diplomatic officer to the United States of such individual's home country and of the country or international organization employing such individual in a capacity through which such individual enjoys diplomatic immunity;

(d) the governor;

(e) the attorney general; and

(f) the chief elected officer of the locality in which such incident, occurrence or circumstance occurred.

2. Such report shall include, but not be limited to, the name of the person protected by diplomatic immunity; the person's title, position and/or assignment in the United States; and the date, time, location and nature of the incident, including the potential penal law violations

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

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prompting such person having been, or who would have been arrested but for their diplomatic immunity.

3. Every law enforcement and police agency shall issue a biannual update listing any and all incidents to:

(a) the United States department of state;

(b) the secretary-general of the United Nations;

(c) the ambassador or chief diplomatic officer to the United States of such individual's home country and of the country or international organization employing such individual in a capacity through which such individual enjoys diplomatic immunity;

(d) the governor;

(e) the attorney general; and

(f) the chief elected officer of the locality in which such incident, occurrence or circumstance occurred.

S 3. This act shall take effect immediately.