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

3519

2013-2014 Regular Sessions

I N A S S E M B L Y

January 28, 2013

Introduced by M. of A. ROZIC, CASTRO, GABRYSZAK, JAFFEE -- Multi-Sponsored by -- M. of A. BARRON, COOK, CROUCH, GALEF, GLICK, McDONOUGH, RAIA, TITONE, WEISENBERG -- read once and referred to the Committee on Codes

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 crime that would be punishable as a misdemeanor or a felony, shall be reported by such agency to the division of criminal justice services and to the United States Department of State Bureau of Diplomatic Security.

2. Such report shall include 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 prompting such person having been, or who would have been arrested but for their diplomatic immunity.

3. On an annual basis the division of criminal justice services shall issue a statistical report about the number of incidents reported pursuant to subdivisions 1 and 2 of this section to the governor, temporary president of the senate, minority leader of the senate, speaker of the assembly, and minority leader of the assembly. Such report shall also be transmitted to the United States Department of State Bureau of Diplomat-

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

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ic Security. Such report shall not disclose any personally identifying information.

4. Reports created pursuant to this section and any information contained therein shall be confidential and shall not be disclosed or redisclosed to any unauthorized person or entity. Nothing contained in this section shall be interpreted to prohibit disclosure of information as required by federal law.

S 3. This act shall take effect immediately.