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

4577

2013-2014 Regular Sessions

I N A S S E M B L Y

February 6, 2013

Introduced by M. of A. LAVINE -- read once and referred to the Committee on Governmental Operations

AN ACT to amend the executive law, in relation to the reporting of certain crimes and suicides committed by persons using psychotropic drugs

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

Section 1. The executive law is amended by adding a new section 837-s to read as follows:

S 837-S. REPORTS OF CERTAIN CRIMES AND SUICIDES COMMITTED BY PERSONS TREATED WITH PSYCHOTROPIC DRUGS. 1. FOR THE PURPOSES OF THIS SECTION, "PSYCHOTROPIC DRUG" MEANS ANY DRUG THAT AFFECTS MOOD, BEHAVIOR OR PERCEPTION THAT IS PRESCRIBED FOR TREATMENT OF MENTAL ILLNESS IN ANY PERSON INCLUDING, BUT NOT LIMITED TO, THOSE PERSONS WHO ARE CHILDREN AND ADOLESCENTS WITH SERIOUS EMOTIONAL DISTURBANCES.

2. THE COMMISSIONER SHALL PROMULGATE RULES AND REGULATIONS REQUIRING ANY POLICE OFFICER INVESTIGATING ANY SUICIDE OR ANY CRIME ENUMERATED IN THIS SUBDIVISION TO SUBMIT A REPORT ON SUCH INVESTIGATION WHEN THE SUICIDE OR CRIME WAS COMMITTED BY A PERSON WHO HAS BEEN OR IS BEING TREATED WITH PSYCHOTROPIC DRUGS. THE CRIMES FOR WHICH A REPORT SHALL BE SUBMITTED SHALL INCLUDE:

(A) ASSAULT AND RELATED OFFENSES DEFINED IN ARTICLE ONE HUNDRED TWENTY OF THE PENAL LAW,

(B) HOMICIDE AND RELATED OFFENSES DEFINED IN ARTICLE ONE HUNDRED TWENTY-FIVE OF THE PENAL LAW;

(C) SEX OFFENSES DEFINED IN ARTICLE ONE HUNDRED THIRTY OF THE PENAL LAW;

(D) ROBBERY OFFENSES DEFINED IN ARTICLE ONE HUNDRED SIXTY OF THE PENAL LAW,

(E) FIREARMS AND OTHER DANGEROUS WEAPONS OFFENSES DEFINED IN ARTICLE TWO HUNDRED SIXTY-FIVE OF THE PENAL LAW;

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

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(F) KIDNAPPING IN THE SECOND DEGREE AS DEFINED IN SECTION 135.20 OF THE PENAL LAW;

(G) KIDNAPPING IN THE FIRST DEGREE AS DEFINED IN SECTION 135.25 OF THE PENAL LAW;

(H) ARSON IN THE SECOND DEGREE AS DEFINED IN SECTION 150.15 OF THE PENAL LAW; AND

(I) ARSON IN THE FIRST DEGREE AS DEFINED IN SECTION 150.20 OF THE PENAL LAW.

3. SUCH REPORTS SHALL INCLUDE, BUT NOT BE LIMITED TO:

(A) THE AGE OF THE PERSON COMMITTING THE CRIME OR SUICIDE;

(B) A DESCRIPTION OF THE CRIME OR SUICIDE;

(C) THE TYPE, IF ANY, OF WEAPON USED; AND

(D) THE PSYCHOTROPIC DRUG USED BY OR PRESCRIBED TO THE PERSON COMMITTING THE CRIME OR SUICIDE.

4. THE DIVISION SHALL ANNUALLY, ON OR BEFORE MARCH FIRST, ISSUE A REPORT TO THE GOVERNOR AND THE LEGISLATURE ON ALL THE INFORMATION RECEIVED BY SUCH DIVISION PURSUANT TO THIS SECTION FOR THE PRECEDING CALENDAR YEAR.

S 2. This act shall take effect on the first of January next succeeding the date on which it shall have become a law; provided, that any rules and regulations necessary to implement the provisions of this act on its effective date are authorized and directed to be promulgated on or before such date.