

SENATE FILE NO. SF0035

Notification of diplomat arrests.

Sponsored by: Senator(s) Barton and Roberts and
Representative(s) Johnson, W. and Nicholas

A BILL

for

1 AN ACT relating to criminal procedure; providing for
2 notification to the state department upon the stopping,
3 detention or arrest of persons with diplomatic status;
4 making conforming amendment; and providing for an effective
5 date.

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7 *Be It Enacted by the Legislature of the State of Wyoming:*

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9 **Section 1.** W.S. 7-2-107 is created to read:

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11 **7-2-107. Arrest or detention of persons with**
12 **diplomatic immunities.**

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14 (a) This section applies to an individual who upon
15 being stopped, detained or arrested by a peace officer for
16 a violation of W.S. 6-2-106, a driving while under the
17 influence offense or a moving violation pursuant to the

1 motor vehicle laws of Wyoming or local ordinance, provides
2 a driver's license issued by the United States department
3 of state or otherwise claims immunities or privileges
4 pursuant to title 22, chapter 6 of the United States Code.

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6 (b) If a driver as described in subsection (a) of
7 this section is stopped, detained or arrested by a peace
8 officer who has probable cause to believe that the driver
9 has committed a violation described in subsection (a) of
10 this section, the peace officer shall:

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12 (i) Within a reasonable amount of time, contact
13 the United States department of state and verify the
14 driver's status and possible immunity;

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16 (ii) Record relevant information from the
17 driver's license or identification card issued by the
18 United States department of state; and

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20 (iii) Within five (5) days after the date of the
21 stop, forward the following to the United States department
22 of state:

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24 (A) A written report of the incident; and

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(B) A copy of the citation or other
charging document if issued;

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(c) The provisions of this section do not prohibit
the application of any law to a criminal violation by any
individual who claims immunities pursuant to title 22,
chapter 6 of the United States Code.

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Section 2. W.S. 7-2-101(a)(intro) is amended to read:

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7-2-101. Definitions.

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(a) As used in W.S. 7-2-101 through ~~7-2-105~~ 7-2-107:

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Section 3. This act is effective July 1, 2002.

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(END)