

2023 -- H 5917

LC001442

STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2023

A N A C T

RELATING TO DOMESTIC RELATIONS -- THE ROURKE ACT

Introduced By: Representatives Henries, Sanchez, Felix, Morales, Stewart, and Alzate

Date Introduced: March 01, 2023

Referred To: House Judiciary

It is enacted by the General Assembly as follows:

1 SECTION 1. Title 15 of the General Laws entitled "DOMESTIC RELATIONS" is hereby  
2 amended by adding thereto the following chapter:

3 CHAPTER 31

4 THE ROURKE ACT

5 **15-31-1. Short title.**

6 This chapter shall be known and may be cited as "The Rourke Act".

7 **15-31-2. Legislative findings.**

8 (1) Domestic assault survivors deserve housing, culturally-sensitive support, and human  
9 dignity.

10 (2) There are excellent nonprofit organizations in Rhode Island that provide critical  
11 supportive services for domestic assault survivors, but these organizations are generally  
12 overwhelmed and under-resourced.

13 (3) Our state government has a moral obligation to expand support for domestic assault  
14 survivors and to expand funding for nonprofit organizations supporting survivors.

15 (4) Domestic assault perpetrators should have to stay at least one hundred feet (100') away  
16 from the survivor's home and from the survivor's child's school.

17 (5) Domestic assault perpetrators should not be permitted to own, possess, or carry  
18 firearms.

19 (6) Domestic assault survivors should not have to file a police report to participate in the

1 crime victim compensation program.

2 **15-31-3. Definitions.**

3 For purposes of this chapter, the following terms shall have the following meanings:

4 (1) “Nonprofit supportive services organization” means an organization, with a certified  
5 501(c)(3) IRS status, that provides culturally-sensitive services to survivors of domestic violence,  
6 sexual assault, or human trafficking. These services may include providing emergency shelter to  
7 survivors, helping survivors find new permanent housing, providing survivors with mental and  
8 emotional health support, and helping survivors’ children find safe schools to attend.

9 (2) “Survivor support fund” means the restrictive funds account, established in § 15-31-4,  
10 designed to disburse grants to nonprofit supportive services organizations.

11 **15-31-4. Survivor support fund established.**

12 The Rhode Island department of human services shall establish a restricted receipt account  
13 which shall be known as the survivor support fund.

14 **15-31-5. Survivor support fund capitalization.**

15 The survivor support fund shall be initially capitalized with a five million dollar  
16 (\$5,000,000) appropriation from the general assembly and an annual appropriation of not less than  
17 five million dollars (\$5,000,000) thereafter.

18 **15-31-6. Police report requirement revoked.**

19 The crime victim compensation program shall no longer require applicants to file a police  
20 report.

21 **15-31-7. Survivor protection monitoring.**

22 (a) Every person who has been convicted of domestic assault shall be prohibited from being  
23 within one hundred feet (100’) of the domestic assault survivor’s residence or the domestic assault  
24 survivor’s child’s school.

25 (b) In order to enforce this requirement, every person who has been convicted of domestic  
26 assault shall be required to wear an ankle bracelet, the sole purpose of which is to transmit their  
27 location to ensure that they do not violate subsection (a) of this section. The individual’s location  
28 data may not be used for any other purpose other than to ensure that they remain more than one  
29 hundred feet (100’) away from the domestic assault survivor’s residence and, if applicable, the  
30 domestic assault survivor’s child’s school. The location data shall be monitored exclusively by the  
31 department of human services.

32 (c) The department of human services shall develop tracking and monitoring systems to  
33 ensure compliance with subsections (a) and (b) of this section.

34 **15-31-8. Domestic assault perpetrator weapon confiscation.**

1            [Individuals who have been convicted of domestic violence, as defined in § 12-29-2, are not](#)  
2 [permitted to own, possess, or carry firearms in the State of Rhode Island.](#)

3            SECTION 2. This act shall take effect upon passage.

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EXPLANATION  
BY THE LEGISLATIVE COUNCIL  
OF  
A N A C T  
RELATING TO DOMESTIC RELATIONS -- THE ROURKE ACT

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1           This act would establish The Rourke Act which creates a survivor support fund with an  
2 annual appropriation of not less than five million dollars (\$5,000,000) for the survivors of domestic  
3 assault, and prohibits any individual convicted of domestic assault from being within one hundred  
4 feet (100') of the domestic assaults survivor's residence, or if applicable, the survivor's child's  
5 school. This act would further declare that individuals who have been convicted of domestic  
6 violence are not permitted to own, possess or carry firearms.

7           This act would take effect upon passage.

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