

2021 -- H 5312

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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2021

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A N A C T

RELATING TO CRIMINAL OFFENSES

Introduced By: Representatives McEntee, Craven, and Caldwell

Date Introduced: January 29, 2021

Referred To: House Judiciary

It is enacted by the General Assembly as follows:

1 SECTION 1. Section 11-1-2 of the General Laws in Chapter 11-1 entitled "General
2 Provisions" is hereby amended to read as follows:

3 **11-1-2. Felony, misdemeanor -- Petty misdemeanor, and violation distinguished.**

4 Unless otherwise provided, any criminal offense which at any given time may be punished
5 by imprisonment for a term of more than one year, ~~or by a fine of more than one thousand dollars~~
6 ~~(\$1,000)~~, is declared to be a felony; any criminal offense which may be punishable by imprisonment
7 for a term more than six (6) months not exceeding one year, or solely by a fine of ~~not~~ more than
8 one thousand dollars (\$1,000), ~~or both~~, is declared to be a misdemeanor; any criminal offense which
9 may be punishable by imprisonment for a term not exceeding six (6) months or solely by a fine of
10 ~~not~~ more than five hundred dollars (\$500), ~~or both~~ and not more than one thousand dollars (\$1,000),
11 is declared to be a petty misdemeanor; and ~~any~~ an offense which may be punished by only a fine
12 of not more than five hundred dollars (\$500) is declared to be a violation.

13 SECTION 2. Chapter 22-12 of the General Laws entitled "Fiscal Notes" is hereby amended
14 by adding thereto the following section:

15 **22-12-6. Correctional impact statements.**

16 All acts having an effect on the revenues, expenditures, fiscal liability, bed space, staff,
17 supervision caseloads, or programs of the department of corrections, excepting appropriation
18 measures carrying specified dollar amounts, shall be accompanied by a correctional impact
19 statement that sets forth the estimated dollar effect thereof taking into consideration additional

1 supervisory and correctional staff, bed space, and programs required if enacted. The correctional
2 impact statement shall be attached to the end of each act, bill or resolution prior to consideration
3 by the legislative body in which the act, bill or resolution originated. The correctional impact
4 statement shall specify the effect in dollar amounts and additional supervisory and correctional
5 staff, bed space, and additional programs for the current fiscal year and estimates for the next two
6 (2) succeeding fiscal years, as well as the fifth and tenth succeeding fiscal years. For legislation
7 where the major fiscal impact is not expected until after the tenth succeeding year, the correctional
8 impact statement shall include additional estimated information for the time period when the major
9 fiscal impact is expected.

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

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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF
A N A C T
RELATING TO CRIMINAL OFFENSES

1 This act redefines "felony," "misdemeanor" and "petty misdemeanor."

2 This act also requires correctional impact statements be attached to every act having any
3 effect on corrections prior to consideration by the general assembly. The correctional impact
4 statement shall set forth the estimated dollar effect of the proposed legislation.

5 This act would take effect upon passage.

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