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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2024

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A N A C T

RELATING TO CRIMINAL OFFENSES -- STALKING

Introduced By: Representatives Dawson, Shanley, Noret, O'Brien, and Casey

Date Introduced: February 29, 2024

Referred To: House Judiciary

It is enacted by the General Assembly as follows:

1 SECTION 1. Sections 11-59-1 and 11-59-2 of the General Laws in Chapter 11-59 entitled
2 "Stalking" are hereby amended to read as follows:

3 **11-59-1. Definitions.**

4 For the purpose of this chapter:

5 (1) "Course of conduct" means a pattern of conduct composed of a series of acts over a
6 period of time, evidencing a continuity of purpose. Constitutionally protected activity is not
7 included within the meaning of "course of conduct."

8 (2) "Harasses," as it relates to § 11-59-2 (a) and (b), means a knowing and willful course
9 of conduct directed at a specific person with the intent to seriously alarm, annoy, or bother the
10 person, and which serves no legitimate purpose. The course of conduct must be such as would
11 cause a reasonable person to suffer substantial emotional distress, or be in fear of bodily injury.

12 "Harasses," as it relates to § 11-59-2 (c), means a knowing and willful course of conduct directed
13 at a specific person that a reasonable person would consider seriously annoying or seriously
14 tormenting and that serves no legitimate purpose and includes, but is not limited to, the act or acts
15 of repeatedly following someone and using an electronic device to record their movements in any
16 public or private place.

17 **11-59-2. Stalking prohibited.**

18 (a) Any person who: (1) harasses another person; or (2) willfully, maliciously, and
19 repeatedly follows another person with the intent to place that person in reasonable fear of bodily

1 injury, is guilty of the crime of stalking.

2 (b) Stalking shall be deemed a felony punishable by imprisonment for not more than five
3 (5) years, by a fine of not more than ten thousand dollars (\$10,000), or both.

4 (c) Any person who harasses another person by following someone and using an electronic
5 device to record their movements in any public or private place, which act or acts serve no
6 legitimate purpose, shall be guilty of video harassment and punished by imprisonment of not more
7 than one year, by a fine of not more than one thousand dollars (\$1,000), or both.

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

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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF
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RELATING TO CRIMINAL OFFENSES -- STALKING

- 1 This act would make it a misdemeanor to harass another person by following them and
- 2 using an electronic device to record their movements in any public or private place.
- 3 This act would take effect upon passage.

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