

2024 -- S 2678

LC005209

STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2024

A N A C T

RELATING TO CRIMINAL OFFENSES -- HAZING

Introduced By: Senators McKenney, LaMountain, Burke, Bissaillon, and Mack

Date Introduced: March 01, 2024

Referred To: Senate Judiciary

It is enacted by the General Assembly as follows:

1 SECTION 1. Sections 11-21-1, 11-21-2 and 11-21-3 of the General Laws in Chapter 11-
2 21 entitled "Hazing" are hereby amended to read as follows:

3 **11-21-1. Penalty for hazing.**

4 ~~(a)~~ Any organizer of, or participant in, an activity constituting hazing, as defined in
5 ~~subsection (b) of this section, § 11-21-5,~~ shall be guilty of a misdemeanor and, upon conviction,
6 shall be fined not more than five hundred dollars (\$500), or punished by imprisonment for ~~not less~~
7 ~~than thirty (30) days nor~~ not more than one year, or both.

8 ~~(b) "Hazing" as used in this chapter, means any conduct or method of initiation into any~~
9 ~~student organization, whether on public or private property, which willfully or recklessly endangers~~
10 ~~the physical or mental health of any student or other person. This conduct shall include, but not be~~
11 ~~limited to, whipping, beating, branding, forced calisthenics, exposure to the weather, forced~~
12 ~~consumption of any food, liquor, beverage, drug, or other substance, or any brutal treatment or~~
13 ~~forced physical activity which is likely to adversely affect the physical health or safety of the~~
14 ~~student or any other person, or which subjects the student or other person to extreme mental stress,~~
15 ~~including extended deprivation of sleep or rest or extended isolation.~~

16 **11-21-2. Penalty for school official permitting hazing.**

17 Every person, being a teacher, superintendent, commandant, coach, or other person in
18 charge of any public, private, parochial, or military school, college or other educational institution,
19 or student organization, who shall knowingly permit any activity constituting hazing, as defined in

1 ~~§ 11-21-1~~ § 11-21-5 or knowingly or negligently fails to take reasonable measures within the scope
2 of their authority to prevent hazing, shall be guilty of a misdemeanor and shall be fined not ~~less~~
3 ~~than ten dollars (\$10.00) nor more than one hundred dollars (\$100)~~ less than one thousand dollars
4 (\$1000), or punished by imprisonment for not more than one year, or both.

5 **11-21-3. Tattooing or permanent disfigurement. Serious bodily injury due to hazing.**

6 Every person being a student, or being a person in attendance at any public, private,
7 parochial, or military school, college, or other educational institution, who shall ~~tattoo or~~ knowingly
8 and willfully cause serious injury to any person toward whom an act of hazing is directed
9 ~~permanently disfigure the body, limbs, or features of any fellow student or person attending the~~
10 ~~institution by the use of nitrate of silver or any like substance, or by any other means, shall be held~~
11 ~~guilty of a crime of the degree of mayhem, and~~ shall, upon conviction, be imprisoned not exceeding
12 ten (10) years nor less than one year.

13 SECTION 2. Chapter 11-21 of the General Laws entitled "Hazing" is hereby amended by
14 adding thereto the following sections:

15 **11-21-4. Consent.**

16 The implied or express consent of any person toward whom an act of hazing is directed
17 shall not be a defense in any action brought under this section.

18 **11-21-5. Definitions.**

19 As used in this chapter:

20 (1) "Hazing" means any conduct or method of initiation into any student organization,
21 whether on public or private property, which willfully or recklessly endangers the physical or
22 mental health of any student or other person. This conduct shall include, but not be limited to,
23 whipping, beating, branding, tattooing, forced calisthenics, exposure to the weather, forced
24 consumption of any food, liquor, beverage, drug, or other substance, or any brutal treatment or
25 forced physical activity which is likely to adversely affect the physical health or safety of the
26 student or any other person, or which subjects the student or other person to extreme mental stress,
27 including extended deprivation of sleep or rest or extended isolation.

28 (2) "Student" means any person regularly enrolled on a full-time or part-time basis as a
29 student in an educational institution.

30 (3) "Student organization" means a fraternity, sorority, association, corporation, order,
31 society, corps, athletic group, cooperative, club, or service, social or similar group, whose members
32 are or include students, operating at or in conjunction with an educational institution.

33 (4) "Serious bodily injury" means physical injury that creates a substantial risk of death or
34 causes serious physical disfigurement or protracted loss or impairment of the function of any bodily

1 [member or organ.](#)

2 **11-21-6. Immunity from legal repercussions.**

3 [Any person who, in good faith, without malice and in the absence of evidence of an intent](#)
4 [to defraud, seeks medical assistance for someone experiencing "physical or mental harm" as the](#)
5 [direct act of hazing, shall not be charged or prosecuted for any crime related to hazing.](#)

6 SECTION 3. 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 -- HAZING

1 This act would add definitions to the prohibition of hazing, make coaches and others
2 responsible for knowingly failing to take reasonable measures to prevent hazing and would punish
3 serious bodily injury by up to ten (10) years in imprisonment. This act would also increase the civil
4 and criminal penalties for hazing and permitting hazing.

5 This act would take effect upon passage.

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