

STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2012

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SENATE RESOLUTION

TO APPROVE AND SUBMIT TO THE ELECTORS A PROPOSITION OF AMENDMENT TO  
THE STATE CONSTITUTION REGARDING IMPOSITION OF PUNISHMENT BY DEATH

Introduced By: Senators Tassoni, Ottiano, Shibley, and Kettle

Date Introduced: January 24, 2012

Referred To: Senate Judiciary

1           RESOLVED, That a majority of all the members elected to each house of the general  
2 assembly and voting therefore, that the following amendment to the constitution of the state be  
3 proposed to the qualified electors of the state in accordance with the provisions of Article XIV of  
4 the constitution, for their approval and that it be added to the constitution as Article XVI:

5   ARTICLE XVI

6   DEATH PENALTY

7           SECTION 1. [Death penalty permitted](#). -- No provision of this constitution shall be  
8 construed as prohibiting the imposition of the punishment of death, so long as said punishment is  
9 imposed in conformity with the United States constitution, as interpreted by the United States  
10 supreme court.

11           SECTION 2. [Review by supreme court](#). -- Upon the pronouncement of a sentence of  
12 death, whether or not the person so sentenced seeks appellate review of his or her conviction, the  
13 supreme court of this state shall review the sentence to assure that it has been imposed in  
14 conformity with the constitution and laws of the United States and of this state.

15           SECTION 3. [Commutation power of governor](#). -- The governor may, at any time after  
16 the supreme court's review of said sentence of death as provided in section 2, in his or her sole  
17 discretion, commute said sentence to a term of life imprisonment, without the possibility of  
18 parole.

19           IT IS FURTHER RESOLVED, That the said proposition of amendment shall be

1 submitted to the electors for their approval or rejection at the next statewide general election. The  
2 voting places in the several cities and towns shall be kept open during the hours required by law  
3 for voting therein for general officers of the state; and be it further

4         RESOLVED, That the Secretary of State shall cause the said proposition of amendment  
5 to be published as part of this resolution in the newspapers of the state prior to the day of the said  
6 meetings of the said electors; and the said proposition shall be inserted in the warrants or notices  
7 to be issued previous to said meetings of the electors for the purpose of warning the town, ward,  
8 or district meetings and said proposition shall be read by the town, ward, or district clerks to the  
9 electors in the town, ward, or district meetings to be held as aforesaid; and be it further

10         RESOLVED, That the town, ward, and district meetings to be held as aforesaid shall be  
11 warned, and the list of voters shall be canvassed and made up, and the said town, ward, and  
12 district meetings conducted in the same manner as now provided by law for the town, ward, and  
13 district meetings for the election of general officers of the state.

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