

2013 -- H 5327

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LC00634
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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2013

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A N A C T

RELATING TO CRIMINAL OFFENSES

Introduced By: Representatives Carnevale, Hull, Canario, Almeida, and Palumbo

Date Introduced: February 07, 2013

Referred To: House Judiciary

It is enacted by the General Assembly as follows:

1 SECTION 1. Section 11-44-1 of the General Laws in Chapter 11-44 entitled "Trespass
2 and Vandalism" is hereby amended to read as follows:

3 **11-44-1. Vandalism -- Obstruction of lawful pursuits.** -- (a) Every person who shall
4 willfully and maliciously or mischievously injure or destroy or write upon, paint, or otherwise
5 deface the property of another, or obstruct the use of the property of another, or obstruct another
6 in the prosecution of his or her lawful business or pursuits, in any manner, the punishment of
7 which is not specifically provided for by statute, shall, if any resulting property damage or
8 diminution in value is less than one thousand five hundred dollars (\$1500), be guilty of a
9 misdemeanor and shall be fined not exceeding one thousand dollars (\$1,000) and/or be
10 imprisoned not exceeding one year, and shall be liable to make restitution for the injury or
11 damage caused. If any resulting property damage or diminution in value is one thousand five
12 hundred dollars (\$1500), or greater, the person shall be guilty of a felony and shall be fined not
13 exceeding three thousand dollars (\$3000) and/or be imprisoned not exceeding three (3) years, and
14 shall be liable to make restitution for the injury or damage caused. Every person convicted of a
15 first offense under this section shall be required to perform up to one hundred (100) hours of
16 public community restitution work, and for a second or subsequent conviction shall be required to
17 perform up to two hundred (200) hours of public community restitution work. Provided, further
18 that every person who shall willfully and maliciously or mischievously injure or destroy or write
19 upon, paint or otherwise deface government property, or obstruct the use of that property, shall be

1 punished in accordance with this statute. Jurisdiction for matters involving government property
2 shall be concurrent with the district court or the respective city or town police or municipal court.

3 (b) Where the provisions of The Domestic Violence Prevention Act, chapter 29 of title
4 12, are applicable, the penalties for violation of this section shall also include the penalties as
5 provided in section 12-29-5.

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

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EXPLANATION
BY THE LEGISLATIVE COUNCIL
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- 1 This act would characterize as felonies acts of vandalism resulting in property damage or
- 2 diminution of value at one thousand five hundred dollars (\$1500) or greater.
- 3 This act would take effect upon passage.

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