

2014 -- H 7331

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LC004115
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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2014

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A N A C T

RELATING TO CRIMINAL PROCEDURE - INDICTMENTS, INFORMATIONS AND
COMPLAINTS

Introduced By: Representatives E Coderre, Ucci, Blazejewski, Edwards, and Mattiello

Date Introduced: February 06, 2014

Referred To: House Judiciary

(Attorney General)

It is enacted by the General Assembly as follows:

1 SECTION 1. Section 12-12-17 of the General Laws in Chapter 12-12 entitled
2 "Indictments, Informations and Complaints" is hereby amended to read as follows:

3 **12-12-17. Statute of limitations.** -- (a) There shall be no statute of limitations for the
4 following offenses: treason against the state, any homicide, arson, first degree arson, second-
5 degree arson, third degree arson, burglary, counterfeiting, forgery, robbery, rape, first degree
6 sexual assault, first degree child molestation sexual assault, second degree child molestation
7 sexual assault, bigamy, manufacturing, selling, distribution, or possession with intent to
8 manufacture, sell, or distribute, a controlled substance under the Uniform Controlled Substance
9 Act, chapter 28 of title 21, or any other offense for which the maximum penalty provided is life
10 imprisonment.

11 (b) The statute of limitations for the following offenses shall be ten (10) years: larceny
12 under ~~section~~ §11-41-2 (receiving stolen goods), ~~section~~ §11-41-3 (embezzlement and fraudulent
13 conversion), ~~section~~ §11-41-4 (obtaining property by false pretenses or personation), ~~section~~ §11-
14 41-11 (embezzlement by bank officer or employee), ~~section~~ §11-41-12 (fraudulent conversion by
15 agent or factor), and ~~section~~ §11-41-13 (obtaining signature by false pretenses), or any larceny
16 ~~which that~~ is punishable as a felony; any violation of chapter 7 of title 11 (bribery); any violation
17 of ~~section~~ §11-18-1 (giving false document to agent, employee, or public official); perjury; any
18 violation of chapter 42 of title 11 (threats and extortion); any violation of chapter 15 of title 7

1 (racketeer influenced and corrupt organizations); any violation of chapter 57 of title 11 (racketeer
2 violence); ~~or~~ any violation of chapter 36 of title 6 (antitrust law); or any violation of § 11-68-2
3 (exploitation of an elder).

4 (c) The statute of limitations for any other criminal offense shall be three (3) years unless
5 a longer statute of limitations is otherwise provided for in the general laws.

6 (d) Any person who participates in any offense, either as a principal accessory~~r~~ or
7 conspirator~~s~~, shall be subject to the same statute of limitations as if the person had committed the
8 substantive offense.

9 (e) The statute of limitations for any violation of chapter 18.9 of title 23 (refuse
10 disposal), chapter 19 of title 23 (solid waste management corporation), chapter 19.1 of title 23
11 (hazardous waste management), chapter 12 of title 46 (water pollution), and chapter 13 of title 46
12 (public drinking water supply) shall be seven (7) years from the time that the facts constituting
13 the offense or violation shall have become known to law enforcement authorities, unless a longer
14 statute of limitations is otherwise provided for in the general laws.

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

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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF

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- 1 This act would increase the statute of limitations for exploitation of an elder from three
- 2 (3) years to ten (10) years.
- 3 This act would take effect upon passage.

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