2014 -- S 2751 SUBSTITUTE A AS AMENDED

LC004491/SUB A

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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2014

AN ACT

RELATING TO CRIMINAL OFFENSES-CHILD SAFE ZONES

Introduced By: Senators Archambault, Satchell, Cool Rumsey, Raptakis, and Lombardi

Date Introduced: March 06, 2014

<u>Referred To:</u> Senate Judiciary

(Attorney General)

It is enacted by the General Assembly as follows:

1	SECTION 1. Title 11 of the General Laws "CRIMINAL OFFENSES" is hereby amended
2	by adding the following chapter:
3	<u>CHAPTER 11-37.3</u>
4	CHILD SAFE ZONES
5	<u>11-37.3-1. Definitions As used in this chapter:</u>
6	(1) "Employee" means an individual hired directly by the entity, a contractual employee
7	of the entity; an individual hired by a third party who has contracted with the entity; an
8	independent contractor of the entity or a volunteer of the entity.
9	(2) "Child Safe Zone" means the following entities:
10	(i) Any private, municipal, county, or state fair or carnival;
11	(ii) Any children's arcade, amusement center having coin or token operated devices for
12	entertainment, movie theatre, or facilities providing programs or services intended primarily for
13	minors;
14	(iii) A public or nonpublic elementary or secondary school, child care facility, or public
15	library:
16	(iv) Any place intended primarily for use by minors including, but not limited to, a
17	playground, a children's play area, recreational or sport-related activity area, a swimming or
18	wading pool, or a beach; and
19	(v) Any health care facility intended primarily for minors.

- 1 (3) "Minor" means a person under the age of eighteen (18) years old.
- 2 (4) "Offender" means a person who is or is required to be registered as a sex offender in
- 3 this state or any other jurisdiction and whose victim was a minor.
- 4 <u>11-37.3-2. Prohibition from Employment. -- (a) Any entity that is a child safe zone is</u>
 5 prohibited from employing a person who is an offender.
- 6 (b) The individual who made the final hiring decision for an entity that is a child safe
- 7 zone that knowingly employs an offender as prohibited in § 11-37.3-2(a) shall be subject to a fine
- 8 of one thousand dollars (\$1,000) for each day the offender is employed.
- 9 (c) Any offender who knowingly misrepresents or omits his or her sex offender
- 10 registration status to obtain employment in a child safe zone shall be guilty of a felony and, upon
- 11 conviction, be subject to imprisonment for not more than five (5) years, a fine of not more than
- 12 five thousand dollars (\$5,000), or both.
- 13 <u>11-37.3-3. Prohibition from ownership or operation. -- (a) Any offender is prohibited</u>
- 14 from owning or operating an entity that is a child safe zone. This prohibition shall not apply to
- 15 any offender who owned or operated an entity that is a child safe zone prior to August 1, 2014.
- 16 (b) Any offender who knowingly owns or operates an entity that is a child safe zone shall
- 17 <u>be guilty of a felony and, upon conviction, be subject to imprisonment for not more than five (5)</u>
- 18 years, a fine of not more than five thousand dollars (\$5,000), or both.
- 19 SECTION 2. This act shall take effect on August 1, 2014.

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EXPLANATION

BY THE LEGISLATIVE COUNCIL

OF

AN ACT

RELATING TO CRIMINAL OFFENSES-CHILD SAFE ZONES

This act would create child safe zones where sex offenders whose victim was a minor are
 prohibited from being employed. This act would also prohibit a sex offender whose victim was a
 minor from owning or operating an entity that is in a child safe zone. Violations of the act would
 be subject to criminal or civil penalties or both.
 This act would take effect on August 1, 2014.

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