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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2015

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A N A C T

RELATING TO CRIMINAL OFFENSES - COMPUTER CRIME

Introduced By: Representatives Fellela, Gallison, Mattiello, Casey, and McNamara

Date Introduced: January 14, 2015

Referred To: House Judiciary

It is enacted by the General Assembly as follows:

1 SECTION 1. Chapter 11-52 of the General Laws entitled "Computer Crime" is hereby
2 amended by adding thereto the following section:

3 **11-52-9. Threats through electronic communications.** – (a) Any person who shall use
4 any means of electronic communication to make any threats concerning the endangerment of any
5 student, students, or staff at any public or private daycare facility, preschool, school, college, or
6 university in the state of Rhode Island shall be guilty of making threats through electronic
7 communications and upon conviction shall be subject to the following:

8 (1) A first conviction under this section shall be a misdemeanor, and shall be punishable
9 by imprisonment for a period up to one year or a fine of up to one thousand dollars (\$1,000), or
10 both;

11 (2) A second or subsequent conviction under this section shall be a felony, and shall be
12 punishable by imprisonment for a period of up to five (5) years or a fine of up to ten thousand
13 dollars (\$10,000), or both; and

14 (3) In addition to imprisonment and/or fines set forth in subsections (a)(1) and (a)(2) of
15 this section, a person convicted pursuant to the provisions of this section shall also be ordered to
16 make full restitution to the state, municipality and/or school, as applicable, for any emergency
17 response expense that is expended as a result of the threat to the student, students, or staff, which
18 restitution shall also include all costs associated with the response to the threat.

19 (b) No minor shall be waived out of the jurisdiction of family court, including a waiver

1 [pursuant to the provisions of chapter 1 of title 14, solely for committing an offense as set forth in](#)
2 [this section; provided, if the minor is waived out of family court for any other permitted reason,](#)
3 [then a charge under this section may also be heard in the adult proceeding.](#)

4 SECTION 2. 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 - COMPUTER CRIME

1 This act would prohibit the use of any means of electronic communications to make any
2 threats concerning the endangerment of any student, students, or staff, at any public or private
3 daycare facility, preschool, school, college or university in the state of Rhode Island.

4 This act would be a misdemeanor for a first conviction, and a felony for a second and
5 subsequent conviction resulting in fines and/or imprisonment and restitution to the state,
6 municipality and/or school. A minor would not be waived out of family court solely based on a
7 charge under this section.

8 This act would take effect upon passage.

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