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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 TOWNS AND CITIES - CITY HOUSING AUTHORITIES

Introduced By: Senator Walter S. Felag

Date Introduced: February 25, 2015

Referred To: Senate Judiciary

It is enacted by the General Assembly as follows:

1 SECTION 1. Section 45-25-18.12 of the General Laws in Chapter 45-25 entitled "City
2 Housing Authorities" is hereby amended to read as follows:

3 **45-25-18.12. Housing for people who are elderly -- Criminal records check. – (a)**

4 Every housing authority or any housing for people who are elderly subsidized by the federal
5 government shall, as part of the application process for prospective tenants of housing for people
6 who are elderly ~~projects~~, request that the ~~division of criminal identification in the department of~~
7 ~~the attorney general conduct a criminal records investigation of the prospective tenant. This~~
8 ~~request shall be made immediately prior to the final approval of the application. The division of~~
9 ~~criminal identification shall not assess a fee for providing the service~~ prospective tenant undergo
10 a national criminal records check that shall include fingerprints submitted to the Federal Bureau
11 of Investigation (FBI) by the bureau of criminal identification of the department of attorney
12 general. The national criminal records check, shall be processed prior to, or within one week of
13 the final approval of the tenancy.

14 (b) In those situations in which no disqualifying information has been found, the bureau
15 of criminal identification of the department of attorney general shall inform the applicant and the
16 city or town in writing of this fact.

17 (c) Information produced by a national criminal records check pertaining to conviction
18 for the following crimes will result in a letter to the prospective tenant and landlord disqualifying
19 the application from tenancy: murder, voluntary manslaughter, involuntary manslaughter, first-

1 degree sexual assault, second-degree sexual assault, third-degree sexual assault, assault on
2 persons sixty (60) years of age or older, assault with intent to commit specified felonies (murder,
3 robbery, rape, burglary, or the abominable and detestable crimes against nature), felony assault,
4 patient abuse, neglect or mistreatment of patients, burglary, first-degree arson, robbery, felony
5 drug offenses, felony obtaining money under false pretenses, felony embezzlement, abuse,
6 neglect and/or exploitation of adults with severe impairments, exploitation of elders, felony
7 larceny, or felony banking law violations, or a crime under section 1128(a) of the Social Security
8 Act (42 U.S.C. § 1320a-7(a)). Any tenant against whom disqualifying information has been found
9 may provide a copy of the national criminal records check to the landlord who shall make a
10 judgment regarding the tenancy application and/or continued tenancy of the tenant. For purposes
11 of this subsection, "conviction" means, in addition to judgments of conviction entered by a court
12 subsequent to a finding of guilty or a plea of guilty, those instances where the defendant has
13 entered a plea of nolo contendere and has received a sentence of probation and those instances
14 where a defendant has entered into a deferred sentence agreement with the attorney general.

15 (d) The division of criminal identification for the attorney general shall not assess any fee
16 for providing the criminal records check required by this section.

17 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 require prospective tenants for housing in every housing authority for the
- 2 elderly subsidized by the federal government, to undergo a FBI criminal records check.
- 3 This act would take effect upon passage.

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