

2017 -- S 0799

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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2017

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A N A C T

RELATING TO CRIMINAL OFFENSES - SEXUAL ASSAULT

Introduced By: Senators Nesselbush, Crowley, Doyle, Sosnowski, and Jabour

Date Introduced: April 25, 2017

Referred To: Senate Judiciary

It is enacted by the General Assembly as follows:

1 SECTION 1. Section 11-37-3 of the General Laws in Chapter 11-37 entitled "Sexual
2 Assault" is hereby amended to read as follows:

3 **11-37-3. Penalty for first degree sexual assault.**

4 (a) Every person who ~~shall commit~~ commits sexual assault in the first degree shall be
5 imprisoned for a period not less than ~~ten (10)~~ twenty (20) years and may be imprisoned for life.

6 (b) During the commission of a first degree sexual assault, any person who uses a firearm
7 or other weapon, or whose victim is over the age of sixty (60) years, or who administers,
8 provides, or delivers any controlled substance to the victim during or prior to the first degree
9 sexual assault, or who electronically records the first degree sexual assault, or anytime a first
10 degree sexual assault is committed by more than one assailant, that person shall not be afforded
11 the benefits of deferment or suspension of the first ten (10) years of any sentence imposed
12 pursuant to this section.

13 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 minimum penalty for first degree sexual assault from ten (10)
- 2 to twenty (20) years. The act would also create a category of cases wherein the first ten (10) years
- 3 of any sentence be ineligible for the benefits of deferment or suspension.
- 4 This act would take effect upon passage.

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