

2019 -- H 5515

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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2019

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A N A C T

RELATING TO CRIMINAL PROCEDURE -- INDICTMENTS, INFORMATIONS AND  
COMPLAINTS

Introduced By: Representatives Williams, Cassar, Caldwell, and Almeida

Date Introduced: February 14, 2019

Referred To: House Judiciary

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.**

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

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

1 extortion); any violation of chapter 15 of title 7 (racketeer influenced and corrupt organizations);  
2 any violation of chapter 57 of title 11 (racketeer violence); any violation of chapter 36 of title 6  
3 (antitrust law); any violation of § 11-68-2 (exploitation of an elder); any violation of § 11-41-11.1  
4 (unlawful appropriation); any violation of § 11-18-6 (false financial statement to obtain loan or  
5 credit); any violation of § 19-9-28 (false statement to obtain a loan); any violation of § 19-9-29  
6 (bank fraud); or any violation of § 11-18-34 (residential mortgage fraud).

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

9 (d) Any person who participates in any offense, either as a principal accessory or  
10 conspirator, shall be subject to the same statute of limitations as if the person had committed the  
11 substantive offense.

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

18 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 eliminate the statute of limitations for second-degree and third-degree
- 2 sexual assault.
- 3           This act would take effect upon passage.

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