

2020 -- S 2829

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LC005142
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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2020

A N A C T

RELATING TO CRIMINAL OFFENSES - JAILS AND PRISONS

Introduced By: Senators Euer, and Lynch Prata

Date Introduced: March 12, 2020

Referred To: Senate Judiciary

It is enacted by the General Assembly as follows:

1 SECTION 1. Section 11-25-15 of the General Laws in Chapter 11-25 entitled "Jails and
2 Prisons" is hereby amended to read as follows:

3 **11-25-15. Imprisonment for failure to appear at a court ordered hearing.**

4 (a) This section shall apply to every person who has been or shall be detained at or in the
5 adult correctional institutions for failure to appear at a court ordered ability to pay hearing. After
6 that person has completed his or her detention for lack of bail for failure to appear at an ability to
7 pay hearing, he or she shall receive a reduction in fines and fees owed to the court, if any, in the
8 amount of ~~fifty dollars (\$50.00)~~ one hundred fifty dollars (\$150) per day served (or any fraction
9 thereof) to be applied against the amount of his/her outstanding fines or costs, or both.

10 (b) Provided further, any person detained at the adult correctional institution for failure to
11 appear who also claims an inability to pay his or her fines or costs shall be entitled to an evidentiary
12 hearing in the district court within forty-eight (48) hours of the detention on the issue of ability to
13 pay. Should the forty-eight (48) hours fall on a weekend or holiday, the hearing shall be scheduled
14 on the next available court date. If, after the hearing, it is determined there is no ability to pay, then
15 that person shall immediately be released from detention. This section shall not deter or preclude
16 any available alternatives to payment of the fines or costs.

1 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 - JAILS AND PRISONS

1 This act would credit those people detained in the adult correctional institution the amount
2 of one hundred fifty dollars (\$150) per day toward any fines or costs they owe to the court when
3 held for lack of bail for failure to appear for a costs review hearing.

4 This act would take effect upon passage.

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