

2023 -- H 5911

LC002074

STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2023

A N A C T

RELATING TO CRIMINAL PROCEDURE -- INDICTMENTS, INFORMATIONS AND COMPLAINTS

Introduced By: Representatives McEntee, Craven, Caldwell, O'Brien, Edwards, Casimiro, Kazarian, Spears, Fogarty, and Handy

Date Introduced: March 01, 2023

Referred To: House Judiciary

(Attorney General)

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 "Indictments,
2 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, first-degree child molestation
7 sexual assault, [second degree sexual assault](#), second-degree child molestation sexual assault,
8 bigamy; manufacturing, selling, distribution, or possession with intent to manufacture, sell, or
9 distribute, a controlled substance under the Uniform Controlled Substance Act, chapter 28 of title
10 21; or any other offense for which the maximum penalty provided is life imprisonment.

11 (b) The statute of limitations for the following offenses shall be ten (10) years: larceny
12 under § 11-41-2 (receiving stolen goods), § 11-41-3 (embezzlement and fraudulent conversion), §
13 11-41-4 (obtaining property by false pretenses or personation), § 11-41-11 (embezzlement by bank
14 officer or employee), § 11-41-12 (fraudulent conversion by agent or factor), and § 11-41-13
15 (obtaining signature by false pretenses), or any larceny that is punishable as a felony; any violation
16 of chapter 7 of title 11 (bribery); any violation of § 11-18-1 (giving false document to agent,
17 employee, or public official); perjury; [§ 11-37-6 \(third degree sexual assault\)](#); any violation of
18 chapter 42 of title 11 (threats and extortion); any violation of chapter 15 of title 7 (racketeer

1 influenced and corrupt organizations); any violation of chapter 57 of title 11 (racketeer violence);
2 any violation of chapter 36 of title 6 (antitrust law); any violation of § 11-68-2 (exploitation of an
3 elder); any violation of § 11-41-11.1 (unlawful appropriation); any violation of § 11-18-6 (false
4 financial statement to obtain loan or credit); any violation of § 19-9-28 (false statement to obtain a
5 loan); any violation of § 19-9-29 (bank fraud); or any violation of § 11-18-34 (residential mortgage
6 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 offense
16 or violation shall have become known to law enforcement authorities, unless a longer statute of
17 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
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- 1 This act would include the offense of second-degree sexual assault among the offenses to
2 which there shall be no statute of limitations and provides for a ten (10) year statute of limitations
3 for third-degree sexual assault.
4 This act would take effect upon passage.

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