AN ACT
RELATING TO CRIMINAL OFFENSES -- PUBLIC UTILITIES

Introduced By: Representatives Fogarty, Amore, Melo, Craven, and Blazejewski

Date Introduced: January 29, 2016

Referred To: House Judiciary

It is enacted by the General Assembly as follows:

SECTION 1. Section 11-35-4 of the General Laws in Chapter 11-35 entitled "Public Utilities" is hereby amended to read as follows:

11-35-4. Injuries to electric or communication lines. -- (a) Every person who shall wantonly or willfully and maliciously cut, destroy, break down, or injure, or attempt to cut, destroy, break down, or injure any machine, appliance, or apparatus used for generating electric currents or any electric wire or other appliance or apparatus used for the purpose of conducting or transmitting electric currents for using and furnishing power, motive power, light, or heat, or used for the purpose of transmitting intelligence by means of telegraphic or telephonic apparatus or cellular tower or radio waves or by means of fire-alarm signals, burglar-alarm signals, police signals, railway signals, or other apparatus or appliance for the transmission of intelligence, or shall cut, destroy, break down, or injure or shall attempt to cut, destroy, break down, or injure any pole, bracket, insulator or other device, apparatus, or appliance for supporting or carrying any electric wire, or shall do any other act interrupting or intended to interrupt the transmission of the electric current over any electric wire through the manual or electronic operation of a switching mechanism or by other means, shall be liable to indictment for it, and upon conviction shall be required to make restitution, and fined not exceeding three thousand dollars ($3,000) fifty thousand dollars ($50,000) or imprisoned not exceeding two (2) years ten (10) years, or both; provided, that nothing in this section shall be construed to authorize or permit the attachment, erection, use, operation, or maintenance of any electric wire, apparatus, pole, bracket, insulator,
or other device or appliance, upon the property of any person or corporation, without the consent
of the owner or owners; nor to prevent any properly authorized person from removing any
electric wire, apparatus, pole, bracket, insulator, or other device or appliance for the purpose of
permitting the passage of any building or structure, the moving of which has been duly authorized
by any city or town council.

(b) Restitution, in addition to the cost for restoring operations, shall be owed to any third
party who suffered economic harm as a result of the injuries to the electric and communication
lines as provided for in this section.

SECTION 2. This act shall take effect upon passage.

==========
LC004002
==========
This act would criminalize injuries to cell/radio towers and increase penalties for injury to electric and communication lines from three thousand dollars ($3,000) to fifty thousand dollars ($50,000); imprisonment from two (2) years to ten (10) years, or both and require restitution for economic harm.

This act would take effect upon passage.