

2022 -- H 7704

LC003999

STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2022

A N A C T

RELATING TO CRIMINAL OFFENSES -- COMMERCIAL SEXUAL ACTIVITY

Introduced By: Representatives Williams, Giraldo, Batista, Vella-Wilkinson, and Slater

Date Introduced: March 02, 2022

Referred To: House Judiciary

It is enacted by the General Assembly as follows:

1           SECTION 1. Chapter 11-34.1 of the General Laws entitled "Commercial Sexual Activity"  
2 is hereby amended by adding thereto the following section:  
3           **11-34.1-6.1. Immunity from criminal prosecution.**  
4           In the event a person is a victim of, or a witness to commercial sexual activity in violation  
5 of chapter 34.1 of title 11, including an individual who becomes aware that another person is a  
6 victim of commercial sexual activity, and has engaged in, or has alleged to have engaged in an act  
7 prohibited by §§ 11-34.1-2, 11-34.1-3, 11-34.1-4, or 11-34.1-6, or in reasonable proximity to the  
8 time of the offense or under circumstances reasonably related to such an offense, that person shall  
9 not be charged with a violation of §§ 11-34.1-2, 11-34.1-3, 11-34.1-4 or 11-34.1-6 if that person,  
10 in good faith, reports the offense to a law enforcement agency, seeks or receives health care services  
11 as a result of their involvement or witnessing the offense, or assists or attempts to assist in the  
12 investigation and prosecution of the offense. If the victim or witness later withdraws cooperation  
13 due to safety concerns, physical or emotional health, or any other reason, the victim or witness shall  
14 not be charged and will remain immune from prosecution. As used in this section "commercial  
15 sexual activity" or "offense" shall include an act that reasonably appears to be a violation of chapter  
16 34.1 of title 12, regardless of whether it results in a conviction of any other person.

1 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 grant immunity to any person engaged in or witnessing commercial sexual  
2 activity if they report the offense to law enforcement and in good faith assist or attempt to assist in  
3 the investigation of the offense, even if they later withdraw their cooperation.

4           This act would take effect upon passage.

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