

2017 -- H 5264

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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2017

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A N A C T

RELATING TO CRIMINAL OFFENSES -- PUBLIC UTILITIES

Introduced By: Representatives Fogarty, Amore, Winfield, Johnston, and Blazejewski

Date Introduced: January 27, 2017

Referred To: House Judiciary

It is enacted by the General Assembly as follows:

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

3 **11-35-4. Injuries to electric or communication lines.**

4 (a) Every person who shall wantonly or willfully and maliciously cut, destroy, break
5 down, or injure, or attempt to cut, destroy, break down, or injure any machine, appliance, or
6 apparatus used for generating electric currents or any electric wire or other appliance or apparatus
7 used for the purpose of conducting or transmitting electric currents for using and furnishing
8 power, motive power, light, or heat, or used for the purpose of transmitting intelligence by means
9 of telegraphic or telephonic apparatus or cellular tower or radio waves or by means of fire-alarm
10 signals, burglar-alarm signals, police signals, railway signals, or other apparatus or appliance for
11 the transmission of intelligence, or shall cut, destroy, break down, or injure or shall attempt to cut,
12 destroy, break down, or injure any pole, bracket, insulator or other device, apparatus, or appliance
13 for supporting or carrying any electric wire, or shall do any other act interrupting or intended to
14 interrupt the transmission of the electric current over any electric wire through the manual or
15 electronic operation of a switching mechanism or by other means, shall be liable to indictment for
16 it, and upon conviction shall be required to make restitution, and fined not exceeding ~~three~~
17 ~~thousand dollars (\$3,000)~~ fifty thousand dollars (\$50,000) or imprisoned not exceeding ~~two (2)~~
18 ~~years~~ ten (10) years, or both; provided, that nothing in this section shall be construed to authorize
19 or permit the attachment, erection, use, operation, or maintenance of any electric wire, apparatus,

1 pole, bracket, insulator, or other device or appliance, upon the property of any person or
2 corporation, without the consent of the owner or owners; nor to prevent any properly authorized
3 person from removing any electric wire, apparatus, pole, bracket, insulator, or other device or
4 appliance for the purpose of permitting the passage of any building or structure, the moving of
5 which has been duly authorized by any city or town council.

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

9 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 -- PUBLIC UTILITIES

1 This act would increase penalties for damages to electric and communication lines from
2 three thousand dollars (\$3,000) to fifty thousand dollars (\$50,000); imprisonment from two (2)
3 years to ten (10) years, or both and would require restitution for economic harm.

4 This act would take effect upon passage.

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