

2023 -- H 5297

LC000483

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 Place, Rea, and Nardone

Date Introduced: February 01, 2023

Referred To: House Judiciary

It is enacted by the General Assembly as follows:

1 SECTION 1. Chapter 12-12 of the General Laws entitled "Indictments, Informations and
2 Complaints" is hereby amended by adding thereto the following section:

3 **12-12-23. Acquittal in another jurisdiction as bar to prosecution.**

4 If a violation of any criminal law is a violation of a federal law or the law of another state,
5 an acquittal under federal law or the law of another state for the same set of facts or acts is a bar to
6 prosecution in this state, unless there exists newly discovered evidence which would substantially
7 indicate that prosecution in this state is warranted.

8 SECTION 2. This act shall take effect upon passage.

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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF

A N A C T

RELATING TO CRIMINAL PROCEDURE -- INDICTMENTS, INFORMATIONS AND
COMPLAINTS

1 This act would prohibit prosecutions for violations of criminal laws in this state if the
2 violation arises from the same set of facts or acts for which a defendant has been acquitted in federal
3 court or another jurisdiction, unless there exists newly discovered evidence substantially warranting
4 prosecution in this state.

5 This act would take effect upon passage.

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