

2023 -- H 5361

LC001049

STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2023

A N A C T

RELATING TO CRIMINAL OFFENSES -- GENERAL PROVISIONS

Introduced By: Representatives Felix, Knight, Kazarian, Morales, Alzate, McNamara,  
Stewart, Potter, Henries, and Cruz

Date Introduced: February 03, 2023

Referred To: House Judiciary

It is enacted by the General Assembly as follows:

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

3 **11-1-2. Felony, misdemeanor — Petty misdemeanor, and violation distinguished.**

4 (a) Unless otherwise provided, any criminal offense which at any given time may be  
5 punished by imprisonment for a term of more than one year, ~~or by a fine of more than one thousand~~  
6 ~~dollars (\$1,000)~~, is declared to be a felony; any criminal offense which may be punishable by  
7 imprisonment for a term of more than six (6) months and not exceeding ~~one year~~ three hundred  
8 sixty-four (364) days, ~~or by a fine of not more than one thousand dollars (\$1,000), or both, is~~  
9 ~~declared to be a~~ or solely by a fine of more than one thousand dollars (\$1,000), or both, is declared  
10 to be a misdemeanor; any criminal offense which may be punishable by imprisonment for a term  
11 not exceeding six (6) months or solely by a fine of ~~not~~ more than five hundred dollars (\$500), ~~or~~  
12 ~~both~~, and not more than one thousand dollars (\$1,000) is declared to be a petty misdemeanor; and  
13 any offense which may be punished by only a fine of not more than five hundred dollars (\$500) is  
14 declared to be a violation.

15 (b) Whenever the phrase "one year" appears in any provision of the general or public laws  
16 in reference to the maximum sentence of imprisonment that may be imposed, such phrase shall  
17 mean, be interpreted as, and be applied as three hundred sixty-four (364) days.

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 further delineate the definitions of felony, misdemeanor and petty  
2 misdemeanor.

3           This act would take effect upon passage.

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