

2014 -- S 2645

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LC004507  
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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2014

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A N A C T

RELATING TO CRIMINAL PROCEDURE - INDICTMENTS, INFORMATIONS AND  
COMPLAINTS

Introduced By: Senators Jabour, Lombardi, and Lombardo

Date Introduced: March 04, 2014

Referred To: Senate Judiciary

(Attorney General)

It is enacted by the General Assembly as follows:

1 SECTION 1. Section 12-12-17 of the General Laws in Chapter 12-12 entitled  
2 "Indictments, Informations and Complaints" is hereby amended to read as follows:

3 **12-12-17. Statute of limitations.** -- (a) There shall be no statute of limitations for the  
4 following offenses: treason against the state, any homicide, arson, first degree arson, second-  
5 degree arson, third degree arson, burglary, counterfeiting, forgery, robbery, rape, first degree  
6 sexual assault, first degree child molestation sexual assault, second degree child molestation  
7 sexual assault, bigamy, manufacturing, selling, distribution, or possession with intent to  
8 manufacture, sell, or distribute a controlled substance under the Uniform Controlled Substance  
9 Act, chapter 28 of title 21, or any other offense for which the maximum penalty provided is life  
10 imprisonment.

11 (b) The statute of limitations for the following offenses shall be ten (10) years: larceny  
12 under ~~section~~ §11-41-2 (receiving stolen goods), ~~section~~ §11-41-3 (embezzlement and fraudulent  
13 conversion), ~~section~~ §11-41-4 (obtaining property by false pretenses or personation), ~~section~~ §11-  
14 41-11 (embezzlement by bank officer or employee), ~~section~~ §11-41-12 (fraudulent conversion by  
15 agent or factor), and ~~section~~ §11-41-13 (obtaining signature by false pretenses), or any larceny  
16 ~~which that~~ is punishable as a felony; any violation of chapter 7 of title 11 (bribery); any violation  
17 of ~~section~~ §11-18-1 (giving false document to agent, employee, or public official); perjury; any  
18 violation of chapter 42 of title 11 (threats and extortion); any violation of chapter 15 of title 7

1 (racketeer influenced and corrupt organizations); any violation of chapter 57 of title 11 (racketeer  
2 violence); ~~or~~ any violation of chapter 36 of title 6 (antitrust law); or any violation of § 11-68-2  
3 (exploitation of an elder).

4 (c) The statute of limitations for any other criminal offense shall be three (3) years unless  
5 a longer statute of limitations is otherwise provided for in the general laws.

6 (d) Any person who participates in any offense, either as a principal accessory~~r~~ or  
7 conspirator~~s~~, shall be subject to the same statute of limitations as if the person had committed the  
8 substantive offense.

9 (e) The statute of limitations for any violation of chapter 18.9 of title 23 (refuse  
10 disposal), chapter 19 of title 23 (solid waste management corporation), chapter 19.1 of title 23  
11 (hazardous waste management), chapter 12 of title 46 (water pollution), and chapter 13 of title 46  
12 (public drinking water supply) shall be seven (7) years from the time that the facts constituting  
13 the offense or violation shall have become known to law enforcement authorities, unless a longer  
14 statute of limitations is otherwise provided for in the general laws.

15 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 increase the statute of limitations for exploitation of an elder from three
- 2   (3) years to ten (10) years.
- 3           This act would take effect upon passage.

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