

2011 -- H 5065

LC00419

STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2011

A N A C T

RELATING TO CRIMINAL OFFENSES -- GRAVES AND CORPSES

Introduced By: Representatives Gallison, Fellela, Azzinaro, Messier, and Martin

Date Introduced: January 19, 2011

Referred To: House Judiciary

It is enacted by the General Assembly as follows:

1 SECTION 1. Section 11-20-2 of the General Laws in Chapter 11-20 entitled "Graves and  
2 Corpses" is hereby amended to read as follows:

3 **11-20-2. Desecration of grave.** -- Every person who shall willfully and maliciously  
4 destroy, mutilate, deface, cover over, injure or remove any tomb, monument, gravestone,  
5 American Flag, or other structure or thing placed or designed for a memorial of the dead, or any  
6 fence, railing, curb, or other thing intended for the protection or for the ornament of any tomb,  
7 monument, gravestone, or other structure of the like character and designed for that purposes, or  
8 of any ~~inclosure~~ enclosure for the sepulture of the dead, or dig or plow up, cultivate or build upon  
9 or within any ~~inclosure~~ enclosure or plot of ground used and occupied for the sepulture of the  
10 dead, or shall commit any nuisance in it, or wantonly disturb, remove, or in any way desecrate the  
11 contents of any grave in any ~~inclosure~~ enclosure or plot of ground, shall be guilty of a felony and  
12 shall be imprisoned not less than one year and not exceeding three (3) years, and/or be fined not  
13 more than ~~three thousand dollars (\$3,000), or both~~ five thousand dollars (\$5,000), or both and  
14 shall, in addition to imprisonment and/or fine, be ordered to make full restitution to any person or  
15 business incurring the expense of repairing the grave.

16 SECTION 2. Section 11-44-13 of the General Laws in Chapter 11-44 entitled "Trespass  
17 and Vandalism" is hereby amended to read as follows:

18 **11-44-13. Injury to public statues and monuments.** -- Every person who shall willfully  
19 trespass upon, deface, mutilate, or otherwise injure the Soldiers' and Sailors' Monument in the

1 city of Providence, or any other public statue or monument, shall be punished by a fine not  
2 exceeding ~~five hundred dollars (\$500)~~, five thousand dollars (\$5,000) and/or by imprisonment not  
3 exceeding one year, ~~or both fine and imprisonment~~ and shall, in addition to imprisonment and/or  
4 fine, be ordered to make full restitution to any person or business incurring the expense of  
5 repairing the statue or monument.

6 SECTION 3. 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 fines to \$5,000 for the defacing or any injury to the Soldiers'  
2 and Sailors' Monument, any public statue or monument or any grave site/cemetery and would  
3 provide for full restitution of the amount of the cost of the damages incurred.

4           This act would take effect upon passage.

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